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No. 36]

NEW DELHI, SATURDAY, SEPTEMBER 5, 1998/BHADRA 14, 1920

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में
रखा जा सके

Separate Paging is given to this Part in order that it may be filed as a
separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications Issued by the Ministries of the Government of India
(Other than the Ministry of Defence)

गृह मंत्रालय

नई दिल्ली, 4 अगस्त, 1998

का.आ. 1730.—सरकारी स्थान (अनधिकृत कब्जा-
धिकारियों की बेदखली) अधि नियम, 1971 (1971 का
40) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते
हुए केन्द्र सरकार पुलिस उप महानिरीक्षक के.रि.पु. बल नई
दिल्ली के कमाण्डेंट स्टाफ अफसर) को भारत सरकार के
एक राजपत्रित अधिकारी होने के नाते, उक्त अधिनियम के
प्रयोजनों के लिए सम्पदा अधिकारी के रूप में नियुक्त करती
है, जो उक्त अधिनियम के द्वारा या अंतर्गत केन्द्रीय रिजर्व
पुलिस बल बवाना कैम्प (नई दिल्ली) के या उसके नियंत्रणा-
धीन परिमरों के संबंध में सम्पदा अधिकारी को प्रदत्त शक्तियों
का प्रयोग करेगा और उसके लिए दिए गए कर्तव्यों का
पालन करेगा।

[संख्या ए०दो-15/96 प्रशा०-1/के०रि०पु० बल/पी.एफ-4(गृह
मंत्रालय)]

जे० के० खन्ना, निदेशक (सी.पी.ओ-II)

MINISTRY OF HOME AFFAIRS

New Delhi, the 4th August, 1998

S.O. 1730.—In exercise of the powers conferred by section
3 of the Public Premises (Eviction of Unauthorised Occu-
pants) Act, 1971 (40 of 1971), the Central Government here-
by appoints the Commandant (Staff Officers) to Deputy Ins-
pector General of Police, Central Reserve Police Force, New
Delhi, being a Gazetted Officer of the Government of India,
to be an Estate Officer for the purposes of the said Act, who
shall exercise the powers conferred, and perform the duties
imposed, on Estate Officer by or under the said Act, within
the local limits of his jurisdiction, in respect of the Public
Premises belonging to and under the control of the Central
Reserve Police Force at Bawana Camp (New Delhi).

[File No. A. II. 15/96-Adm-1/CRPF/PF-IV(MHA)]
J. K. KHANNA, Director (CPO-II)

कार्मिक, लोक शिकायत तथा पेंशन मंत्रालय

(कार्मिक और प्रशिक्षण विभाग)

नई दिल्ली, 12 अगस्त, 1998

का.आ. 1731.—केन्द्रीय सरकार (एतद्द्वारा दंड प्रक्रिया
संहिता, 1973 (1974 का अधिनियम सं. 2) की धारा 24
की उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए,

श्री कान्तिमहंती वेद विद्या सागर, लोक अभियोजक, केन्द्रीय अन्वेषण ब्यूरो को विचारण न्यायालयों में दिल्ली विशेष पुलिस स्थापना (के.अ. ब्यूरो) द्वारा संस्थित मामलों तथा किसी राज्य अथवा संघ राज्य क्षेत्र जिस पर पूर्वोक्त धारा के उपबंध लागू होते हैं में विधि द्वारा स्थापित पुनरीक्षण अथवा अपील न्यायालयों में इस मामलों से उद्भूत अपीलों, पुनरीक्षणों अथवा अन्य विषयों का संचालन करने के लिए विशेष लोक अभियोजक के रूप में नियुक्त करती है।

[सं. 225/1/98-ए.वी.डी. II]

हरि सिंह, अवसर सचिव

MINISTRY OF PERSONNEL PUBLIC GRIEVANCES AND PENSION

(Department of Personnel and Training)

New Delhi, the 12th August, 1998

S.O. 1731.—In exercise of the powers conferred by sub-section (8) of section 24 of the Code of Criminal Procedure, 1973 (Act No. 2 of 1974), the Central Government hereby appoints Shri Kantimahanti Veda Vidya Sagar, Public Prosecutor of the Central Bureau of Investigation as Special Public Prosecutor for the conduct of cases instituted by Delhi Special Police Establishment in the trial courts and appeals/revisions or other matters arising out of these cases in revisional or appellate courts established by Law in any State or Union Territory to which the provision of the aforesaid section apply.

[No. 225/1/98-AVD. II]

HARI SINGH, Under Secy.

आदेश

नई दिल्ली, 13 अगस्त, 1998

का.अ. 1732:—केन्द्रीय सरकार एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का अधिनियम सं. 25) की धारा 6 के साथ पठित धारा 5 की उपधारा (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, उत्तर प्रदेश राज्य सरकार के गृह (पुलिस) सेक्शन-4 के दिनांक 19-05-98 के आदेश सं. यू. ओ. 50/6-4-98-लखनऊ द्वारा प्राप्त उत्तर प्रदेश राज्य सरकार की सहमति से दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और अधिकारिता का विस्तार के. अ. ब्यूरो की लखनऊ शाखा द्वारा 31-12-1997 को रजिस्टर मामला आर. सी. 30(ए)/97 में भ्रष्टाचार निवारण अधिनियम 13(2) के साथ पठित धारा 13(1) (ई) के अन्तर्गत बंडनीय अपराधों तथा उक्त अपराधों से संबंधित अथवा संश्लेष प्रयत्नों, दुष्प्रेरणों और षड्यंत्रों अथवा उसी संव्यवहार के अनुक्रम में किए गए अथवा उन्हीं तथ्यों से उद्भूत किसी अन्य अपराध का अन्वेषण करने के लिए संपूर्ण उत्तर प्रदेश राज्य पर करती है।

[सं. 228/36/98-ए.वी.डी.-II]

हरि सिंह, अवसर सचिव

ORDER

New Delhi, the 13th August, 1998

S.O. 1732.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (Act No. 25 of 1946), the Central Government with the consent of the State Government of Uttar Pradesh vide Order Home (Police) section 4 No. UO 50/6-4-98-Lucknow dated 19-5-1998, hereby extends the powers and jurisdiction of the members of Delhi Special Police Establishment in the whole of the State of Uttar Pradesh for investigation of offences punishable under section 13(2) read with 13(1)(e) of the Prevention of Corruption Act, 1988 of case RC. 50(A)/97 registered by CBI branch Lucknow on 31-12-1997 and attempts, abetments and conspiracy in relation to or in connection with the above said offence and any other offence or offences committed in the course of the same transaction or arising out of the same facts.

[No. 228/36/98-AVD. II]

HARI SINGH, Under Secy.

नई दिल्ली, 18 अगस्त, 1998

का.अ. 1733—केन्द्रीय सरकार एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का अधिनियम सं. 25) की धारा 6 के साथ पठित धारा 5 की उपधारा (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, आंध्र प्रदेश राज्य सरकार के गृह (एससी-ए) विभाग के दिनांक 28-05-1998 के आदेश जोश्री. आरटी सं. 1308 द्वारा प्राप्त आंध्र प्रदेश राज्य सरकार की सहमति से दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और अधिकारिता का विस्तार पट्टाभिपुत्र कागुल और व्यवस्था पुलिस स्टेशन में सर्वश्री (1) पराम मम्बाणिव राव पुत्र मुब्बा राव, पेरावली (बी), गुटूर जिला (2) बोलांगी प्रसाद पुत्र कोटेश्वर राव निवासी गुटूर आफ अरुणा अकादमी आफ डिफेंस मंत्रि-सिज, गुटूर तथा अन्यो के विरुद्ध दर्ज मामला अपराध सं. 169/96 में भ्रष्टाचार निवारण अधिनियम, 1988 की धारा 8 के साथ पठित भारतीय दंड संहिता 1860 (1860 का अधिनियम सं. 45) की धारा 109 के अधीन बंडनीय अपराधों और उपर्युक्त अपराधों में एक अथवा अधिक अपराधों से संबंधित अथवा संसक्त प्रयत्न, दुष्प्रेरण और षड्यंत्र तथा वैसे ही संव्यवहार के अनुक्रम में किए गए अथवा उन्हीं तथ्यों से उद्भूत किसी अन्य अपराध अथवा अपराधों का अन्वेषण करने के लिए संपूर्ण आंध्र प्रदेश राज्य पर करती है।

[सं. 228/81/97-ए.वी.डी. II]

हरि सिंह, अवसर सचिव

New Delhi, the 18th August, 1998

S.O. 1733.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (Act No. 25 of 1946), the Central Government with the consent of the State Government of Andhra Pradesh vide Home (SC-A) Department Order G. O.

Rt. No. 1308 dated 28-5-1998, hereby extends the powers and jurisdiction of the members of Delhi Special Police Establishment to the whole of the State of Andhra Pradesh for investigation of offences of case Crime No. 169/96 registered at Pattabhipuram Law and Order Police Station against S/Shri (1) Peram Sambasiva Rao, S/o. Subba Rao, Peravali (v), Gudur District, (2) Bolangi Prasad S/o. Koteswara Rao, R/o. Guntur of Aruna Academy of Defence Services, Guntur and others punishable under section 8 of Prevention of Corruption Act, 1988 read with section 109 of the Indian Penal Code, 1860 (Act No. 45 of 1860) and attempts, abetments and conspiracy in relation to or in connection with one or more of the offence mentioned above and any other offence or offences committed in the course of the same transaction or arising out of the same facts.

[No. 228/S1/97-AVD. III
HARI SINGH, Under Secy.

वित्त मंत्रालय

(राजस्व विभाग)

आदेश

नई दिल्ली, 10 अगस्त, 1998

स्टाम्प

का.आ. 1734.— भारतीय स्टाम्प अधिनियम, 1899 (1899 का 2) की धारा 9 की उपधारा (1) के खंड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एन.द्वारा मै. कनक दुर्गा लोजिंग एण्ड फाइनेंस लि. विजयवाड़ा को मात्र सैतीस हजार पांच सौ रुपये का समेकित स्टाम्प शुल्क अदा करने की अनुमति प्रदान करती है, जो उक्त कम्पनी द्वारा जारी किए जाने वाले केवल पचास लाख रुपये के समग्र मूल्य के 1000-अपरिवर्तनीय ऋण-पत्रों पर स्टाम्प शुल्क के कारण प्रभावी है।

[सं. 28/98-स्टाम्प-फा. सं. 15/19/98-बि.कर.]

अभय त्रिपाठी, उप सचिव

MINISTRY OF FINANCE

(Department of Revenue)

ORDER

New Delhi, the 10th August, 1998

STAMPS

S.O. 1734.—In exercise of the powers conferred by clause (b) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby permits M/s. Kanakadurga Leasing and Finance Limited, Vijayawada to pay consolidated stamp duty of rupees thirty seven thousand five hundred only, chargeable on account of the stamp duty on 1000-Non-Convertible Debentures of the aggregate value of rupees fifty lakhs only to be issued by the said company.

[No. 28/98-Stamps-F. No. 15/19/98-ST]

ABHAY TRIPATHI, Dy. Secy.

आदेश

नई दिल्ली, 12 अगस्त, 1998

का.आ. 1735.— भारत सरकार के संयुक्त सचिव ने जिसे विदेशी मुद्रा संरक्षण और तस्करी निवारण अधिनियम, 1974 (1974 का 52) की धारा 3 की उपधारा के अधीन आदेश फा. सं. 673/10/97-सी.शु.-8 दिनांक 3-2-1997 को यह निदेश जारी किया था कि श्री हेमंत डी. . बेरोट, 103/104 विदियाचल नीलकंठ वैली, घटकोपार, (ई.), मुम्बई-77 (ii) बारतवाड़ा (घाट), पी. ओ. लूनावाड़ा, जिला पंचमहत गुजरात, (iii) जै अम्बे डायरी फार्म 8, कवाड वजेशवरी रोड, पी. ओ. अंगाओ तालुका भिवंडी, थाना जिला को निरुद्ध कर लिया जाए और केन्द्रीय कारागार, पुणे में अभिरक्षा में रखा जाए ताकि उसे भविष्य में विदेशी मुद्रा के संवर्धन के प्रतिकूल कार्य करने से रोका जा सके।

2. केन्द्रीय सरकार के पास यह विश्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है या अपने को छिपा रहा है जिससे उक्त आदेश का निष्पादन नहीं हो सके।

3. अतः अग्रे केन्द्रीय सरकार, उक्त अधिनियम की धारा 7 की उपधारा (1) के खंड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि पूर्वोक्त व्यक्ति इस आदेश के शासकीय राजपत्र में प्रकाशन के 7 दिन के भीतर डायरेक्टर जनरल पुलिस, पुणे के समक्ष हाजिर हों।

[फा. सं. 673/10/97-सी.शु.-8]

प्रकाश चन्दरा, अव्वर सचिव

ORDER

New Delhi, the 12th August, 1998

S.O. 1735.—Whereas the Joint Secretary to the Government of India, specially empowered under sub-section (1) of Section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974), issued order F. No. 673/10/97-Cus. VIII, dated 3-2-1997 under the said sub-section directing that Shri Hemant D. Barot Address : (i) 103/104, Vidhyachal Neelkant Vally, Ghatkopar (East), Mumbai-77, (ii) Baratwada (Ghat), P. O. Lunawada, District Panchmahal, Gujarat, (iii) Jai Ambe Diary Farm, 8, Kawad, Vajreshwari Road, P. O. Angaon, Taluka Bhiwandi, Thana District be detained and kept in custody in the Central Prison, Pune with a view to preventing him from acting in any manner prejudicial to the conservation of foreign exchange ;

2. Whereas the Central Government has reasons to believe that the aforesaid person has absconded or is concealing himself so that the order cannot be executed ;

3. Now, therefore, in exercise of the powers conferred by clause (b) of sub-section (1) of Section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the Director General of Police, Pune within 7 days of the publication of this order in the Official Gazette.

IF. No. 673/10/97-Cus. VIII
PRAKASH CHANDRA, Under Secy.

आदेश

नई दिल्ली, 21 अगस्त, 1998

का.आ. 1736.—भारत सरकार के संयुक्त सचिव ने जिसे विदेशी मुद्रा संरक्षण और तस्करी निवारण अधिनियम, 1974 (1974 का 52) की धारा 3 की उपधारा के अधीन आदेश का.सं. 673/84/96-सी.शु-8 दिनांक 13-9-1996 को, यह निदेश जारी किया था कि श्री पारसमल रामपुरिया सुपुत्र श्रीचन्द रामपुरिया, 57/2 एफ डायमण्ड हारबर मार्ग कलकत्ता-23 को निरुद्ध कर लिया जाए और प्रैजिडेंसी कारगार, अलीपुर, कलकत्ता में अभिरक्षा में रखा जाए ताकि उसे भविष्य में विदेशी मुद्रा के संबंधन के प्रतिकूल कार्य करने से रोक जा सके ;

2. केन्द्रीय सरकार के पास यह विश्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है या अपने को छिपा रहा है जिससे उक्त आदेश का निष्पादन नहीं हो सके :

अतःअब केन्द्रीय सरकार, उक्त अधिनियम की धारा 7 की उपधारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निर्देश देती है कि पूर्वोक्त व्यक्ति इस आदेश के शासकीय राजपत्र में प्रकाशन के 7 दिन के भीतर पुलिस आयुक्त, कलकत्ता के समक्ष हाजिर हो ।

[का.सं. 673/84/96-सी.शु.-8]

प्रकाश चन्द्रा, अवर सचिव

ORDER

New Delhi, the 21st August, 1998

S.O. 1736.—Whereas the Joint Secretary to the Government of India, specially empowered under sub-section (1) of Section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued order F. No. 673/84/96-Cus. VIII, dated 13-9-1996 under the said sub-section directing that Shri Parasmal Ram-puria Address : 57/2-F, Diamond Harbour Road, Calcutta-23 be detained and kept in custody in the Presidency Jail, Alipur, Calcutta with a view to

preventing him from acting in any manner prejudicial to the augmentation of foreign exchange ;

2. Whereas the Central Government has reasons to believe that the aforesaid person has absconded or is concealing himself so that the order cannot be executed ;

3. Now, therefore, in exercise of the powers conferred by clause (b) of sub-section (1) of Section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the Commissioner of Police, Calcutta within 7 days of the publication of this order in the Official Gazette.

IF. No. 673/84/96-Cus. VIII
PRAKASH CHANDRA, Under Secy.

(आर्थिक कार्य विभाग)

(बैंकिंग प्रभाग)

नई दिल्ली, 18 अगस्त, 1998

का.आ. 1737.—विशेष न्यायालय (प्रतिभूति संव्यवहार संबंधी अपराध विचारण) अधिनियम, 1992 की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एन.द्वारा श्री बी. भट्टाचार्य, भारतीय लेखा-परीक्षा और लेखा सेवा को 1 सितम्बर, 1998 से और 31 अगस्त, 2000 तक या अभिरक्षक के कार्यालय का कार्य समाप्त होने तक, जो भी पहले हो, विद्यमान शर्तों पर प्रतियुक्ति के आधार पर अभिरक्षक के रूप में पुनः नियुक्त करती है ।

[सं. एफ. 4/3/94 एससीएस/सतर्कता]

एम. दामोदरन, संयुक्त सचिव

(Department of Economic Affairs)

(Banking Division)

New Delhi, the 18th August, 1998

S.O. 1737.—In exercise of the powers conferred by sub-section (1) of section 3 of the Special Court (Trial of Offences Relating to Transactions in Securities) Act, 1992, the Central Government hereby re-appoints Shri B Bhattacharya, I.A. & A.S., as Custodian on deputation basis with effect from 1st September, 1998 and upto 31st August, 2000 or till the work of Office of the Custodian is completed, whichever is earlier, on the existing terms and conditions.

[No. F. 4/3/94-SCS/VIG.]

M. DAMODARAN, Jt. Secy.

नई दिल्ली, 19 अगस्त, 1998

का.आ. 1738—राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबंध) स्कीम 1970 के खण्ड 3 के उपखण्ड (1) के साथ पठित बैंककारी कंपनी (उपक्रमों का अर्जन एवं अंतरण) अधिनियम 1970 की धारा 9 की उपधारा 3 के खण्ड (ग) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा निम्नलिखित सारणी के कालम (2) में उल्लिखित व्यक्तियों को उक्त सारणी के कालम (3) में उल्लिखित व्यक्तियों के स्थान पर कालम (1) में उल्लिखित बैंकों के निदेशक के रूप में नामित करती है :—

सारणी

1	2	3
बैंक आफ इंडिया	श्री ए. बी. तेलंग, मुख्य महाप्रबंधक भारतीय रिजर्व बैंक मुम्बई कार्यालय मुम्बई	श्री बी.ए. पाटिल
केनरा बैंक	श्री बी. रमानीराज मुख्य महाप्रबंधक भारतीय रिजर्व बैंक तिरुवनंतपुरम	श्री खिजर अहमद
सेंट्रल बैंक आफ इंडिया	श्री पी आर गोपाल राव प्रिंसिपल बैंकर्स ट्रेनिंग कालेज वीर सावरकर मार्ग मुम्बई	श्री के. एन. गंगुर्डे
देना बैंक	श्री सी आर गोपालसुधनरम अपर मुख्य महाप्रबंधक विनिमय नियंत्रण विभाग भारतीय रिजर्व बैंक मुम्बई	श्री के. डी. सबकर
पंजाब नेशनल बैंक	श्री आर एस अवस्थी मुख्य महाप्रबंधक भारतीय रिजर्व बैंक नई दिल्ली	श्री एस स्वामीनाथन

[सं. एक 9/6/98-बी.ओ. 1]

सुधीर श्रीवास्तव, निदेशक

New Delhi, the 19th August, 1998

S.O. 1738.—In exercise of the powers conferred by clause (c) of sub-section (3) of Section 9 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 read with sub-clause (1) of clause 3 of the Nationalised Banks (Mana-

gement and Miscellaneous (Provisions) Scheme, 1970, the Central Government hereby nominates the persons specified in column (2) of the Table below as Directors of the banks specified in column (1) thereof in place of the persons specified in column (3) of the said Table :—

TABLE

1	2	3
Bank of India	Shri A. B. Telang, Chief General Manager, Reserve Bank of India, Mumbai Office, Mumbai.	Shri B. A. Patil
Canara Bank	Shri B. Ramani Raj Chief General Manager, Reserve Bank of India, Thiruvananthapuram.	Shri Khizer Ahmed
Central Bank of India	Shri P. R. Gopala Rao, Principal, Bankers' Training College, Veer Savarkar Marg, Mumbai.	Shri K. N. Gangurde
Dena Bank	Shri C. R. Gopalasundaram, Addl. Chief General Manager, Exchange Control Department, Reserve Bank of India, Mumbai,	Shri K. D. Savkur
Punjab National Bank	Shri R. S. Awasthi, Chief General Manager, Reserve Bank of India, New Delhi.	Shri S. Swaminathan

[F. No. 9/6/98-B.O. 11]

SUDHIR SHRIVASTAVA, Director

नई दिल्ली, 20 अगस्त, 1998

का.आ. 1739.—भारत के राजपत्र के भाग II, खण्ड 3 (ii) में प्रकाशनार्थ भारत सरकार वित्त मंत्रालय, आर्थिक कार्य विभाग (बैंकिंग प्रभाग) की दिनांक 19 अगस्त, 1998 की अधिसूचना संख्या 9/6/98-बी ओ. के आंशिक संशोधन के रूप में श्री बी. रमानी राज, मुख्य महाप्रबन्धक, भारतीय रिजर्व बैंक तिरुवनन्तपुरम, का केनरा बैंक के निदेशक के रूप में नामांकन 19 अगस्त 1998 के स्थान पर 22 अगस्त, 1998 से प्रभावी होगा।

[फा.सं. 9/6/98 बी ओ-1]
सुधीर श्रीवास्तव, निदेशक

New Delhi, the 20th August, 1998

S.O. 1739.—In partial modification of the Notification of the Government of India in the Ministry of Finance, Department of Economic Affairs, (Banking Division) No. 9/6/98-B.O.I. dated the 19th August, 1998 to be published in Part II Section 3 (ii) of the Gazette of India, the nomination of Shri B. Ramani Raj, Chief General Manager, Reserve Bank of India, Thiruvananthapuram, as a Director of Canara Bank shall take effect from the 22nd August, 1998 instead of the 19th August, 1998.

[F. No. 9/6/98-B.O.I.]

SUDHIR SHRIVASTAVA, Director

नई दिल्ली, 20 अगस्त, 1998

का.आ. 1740.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक की मिकारिण पर, एतद्वारा घोषणा करती है कि उक्त अधिनियम की धारा 13 के उपबन्ध साउथ इंडियन बैंक लि. पर इस

अधिसूचना की तारीख एक वर्ष से की अवधि के लिए लागू नहीं होंगे।

[फा.सं. 15/8/98 बी.ओ.ए.]
श्रीमति पी. मोहन, निदेशक (बी.ओ.)

New Delhi, the 20th August, 1998

S.O. 1740.—In exercise of the powers conferred by Section 53 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government on the recommendation of the Reserve Bank of India, hereby declares that the provisions of Section 13 of the said Act shall not apply for a period of one year from the date of this notification to the South Indian Bank Ltd.

[F. No. 15/8/98-BOA]

MRS. P. MOHAN, Director (BO)

नई दिल्ली, 20 अगस्त, 1998

का.आ. 1741.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 58 के साथ पठित धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार भारतीय रिजर्व बैंक की संसुति पर, एतद्वारा घोषणा करती है कि निम्नलिखित बैंकों के मामले में 31 मार्च, 1997 को समाप्त वर्ष के लिए उसके द्वारा तुलनपत्र, लाभ-हानि के लेखा एवं लेखा परीक्षक की रिपोर्ट समाचार पत्रों में प्रकाशित करने के संबंध में बैंककारी विनियमन (सहकारी समितियाँ) नियमावली, 1966 के नियम 10 के साथ पठित उक्त अधिनियम की धारा 31 के उपबन्ध उन पर लागू नहीं होंगे।

1. दि अह्म को-ऑपरेटिव अर्बन बैंक लि.
2. दि बडकरा को-ऑपरेटिव अर्बन बैंक लि.
3. दि बालेश्वरी को-ऑपरेटिव अर्बन बैंक लि.
4. दि मप्पायर को-ऑपरेटिव अर्बन बैंक लि.

5. दि नेम्मारा को-ऑपरेटिव अर्बन बैंक लि.
6. दि कट्टप्पना अर्बन को-ऑपरेटिव बैंक लि.
7. दि कोडुवायूर को-ऑपरेटिव अर्बन बैंक लि.,

[सं. 1(12)/97 ए.सी.]

एस. के. ठाकुर, अवर सचिव

New Delhi, the 20th August, 1998

S.O. 1741.—In exercise of the powers conferred by Section 53 read with Section 56 of the Banking Regulation Act, 1949 (10 of 1949) the Central Government on the recommendation of Reserve Bank of India hereby declares that the provisions of Section 31 of the said Act read with Rule 10 of the Banking Regulation, (Co-operative Societies) Rules, 1966 shall not apply to the under noted banks in so far as they relate to the publication of their balance sheet and profit and loss account for the year ended 31st March, 1997 with the auditor's report in the newspaper :

1. The Adoor Co-operative Urban Bank Ltd.
2. The Bedegara Co-operative Urban Bank Ltd.
3. The Balusseri Co-operative Urban Bank Ltd.
4. The Meppayur Co-operative Urban Bank Ltd.
5. The Nemara Co-operative Urban Bank Ltd.
6. The Kattappana Urban Co-operative Bank Ltd.
7. The Koduvayur Co-operative Urban Bank Ltd.

[No. 1(12)/97-AC]

S. K. THAKUR, Under Secy.

नई दिल्ली, 26 अगस्त, 1998

कां.मां. 1742.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार भारतीय रिजर्व बैंक की सिफारिश पर, एतद्वारा घोषणा करती है कि उक्त अधिनियम की धारा 13 के उपबन्ध यू.टी.आई. बैंक लि. पर इस अधिसूचना की तारीख से एक वर्ष की अवधि के लिए लागू नहीं होंगे ।

[फा.सं. 15/9/98-बी.ओ. ए.]

बी. ए. नारायणन, अवर सचिव

New Delhi, the 26th August, 1998

S.O. 1742.—In exercise of the powers conferred by Section 53 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of Section 13 of the said Act shall not apply for a period of one year from the date of this notification to the UTI Bank Ltd.

[F. No. 15/9/98-BOA]

B. A. NARAYANAN, Under Secy.

खाद्य और उपभोक्ता मामले, मंत्रालय
भारतीय मानक ब्यूरो:

नई दिल्ली, 20 अगस्त, 1998

का. मा. 1743.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उपनियम (1) की खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिस/जिन भारतीय मानक/मानकों/का. के विवरण नीचे अनुसूची में दिया गया है/दिए गए हैं, वह/वे स्थापित हो गया है/हो गए हैं।

अनुसूची

क्रम सं.	स्थापित भारतीय मानक (का) की संख्या वर्ष और जीर्णक	नए भारतीय मानक द्वारा अतिरिक्त भारतीय मानक अथवा मानकों, यदि कोई हों, की सं. और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1.	आईएस 228 (भाग 17) : 1998 इस्पात के रासायनिक विश्लेषण की प्रणाली—भाग 17 ऊष्मा चालकता विधि द्वारा नाइट्रोजन का निर्माण (0.4 प्रतिशत तक नाइट्रोजन के लिए) (दूसरा पुनरीक्षण)	---	98-05-31

(1)	(2)	(3)	(4)
2.	आईएस 228 (भाग 18) : 1998 इस्पात के रासायनिक विश्लेषण की प्रणाली भाग 18 मापयन्त्री प्रणाली द्वारा आक्सीजन का निर्धारण (0.001 से 0.100 प्रतिशत आक्सीजन के लिए)	—	98-05-31
3.	आईएस 785 : 1998 शिरोपरि पावर और दूर संचार लाइनों के लिए प्रबलित कांक्रिट के खम्बे—विशिष्ट (दूसरा पुनरीक्षण)	आईएस 785 : 1964	98-03-31
4.	आईएस 1448 (भाग 147) : 1998 पेट्रोलियम और उसके उत्पादों की परीक्षण पद्धति (पी : 147) मोटर गैसोलीन में स्थितिज गोंद की अवधारणा	—	98-05-31
5.	आईएस 1515 : 1998 मधुमक्खी पेटिका—विशिष्ट (तीसरा पुनरीक्षण)	आईएस 1515 : 1981	98-03-31
6.	आईएस 1678 : 1998 शिरोपरि पावर और दूरसंचार लाइनों के लिए पुर्न प्रतिबलित कांक्रिट के खम्बे—विशिष्ट (दूसरा पुनरीक्षण)	आईएस 1678 : 1978	98-03-31
7.	आईएस 1784 : 1998 इमों के चूड़ीदार ठक्कन—विशिष्ट (तीसरा पुनरीक्षण)	आईएस 1784 : 1984	98-02-28
8.	आईएस 1878 (भाग 3) : 1998 सामान्य प्रयोजन के लिए समानान्तर खराद चार्ट भाग 3 1 600 मिमी. से 2 500 मिमी तक के झूलने वाली खराद	आईएस—	98-03-31
9.	आईएस 2322 : 1998 मसाले—मिर्च साबुत और पिसी—विशिष्ट (दूसरा पुनरीक्षण)	आईएस 3222 : 1984	98-05-31
10.	आईएस 2712 : 1998 गैस्कट तथा पैकिंग—संपीडित ऐक्ससटस रेशा जोड़—विशिष्ट (तीसरा पुनरीक्षण)	आईएस 2713 : 1979	98-05-31
11.	आईएस 2904 : 1998 गोल हथ्या—विशिष्ट (पहला पुनरीक्षण)	आईएस 2904 : 1964	98-05-31
12.	आईएस 2908 : 1998 हाथ कैंक—विशिष्ट (पहला पुनरीक्षण)	आईएस 2908 : 1964	98-05-31
13.	आईएस 2909 : 1998 स्टार शिप—विशिष्ट (पहला पुनरीक्षण)	आईएस 2909 : 1964	98-03-31
14.	आईएस 3172 : 1997 आंतरिक दहन इंजन—इंधन इलेक्शन उपकरण—एकल और दोहरे सिरे वाले पाइप युग्मक (एकल और दोहरे सिरेवाले बीजों) —विशिष्ट (दूसरा पुनरीक्षण)	आईएस 3172 : 1974	97-07-31
15.	आईएस 3342 : 1998 जुताई उपस्कर कल्टिवेटर, पशु-चालित—विशिष्ट (दूसरा पुनरीक्षण)	आईएस 3342 : 1970	98-04-30

(1)	(2)	(3)	(4)
16.	आईएस 3395 : 1997 संचकन और बहिर्बैधन के लिए अल्प घनत्व पोलिइथाइलीन (एल डीपी ई) तथा रैखिक अल्प घनत्व पोलिइथाइलीन (एल एल डीपी ई) सामग्रियाँ—विशिष्ट (दूसरा पुनरीक्षण)	आईएस 3395 : 1984	97-10-31
17.	आईएस 4015 : 1998 विषाक्त कीटनाशकों के मामलों को निपटाने की मागदस्तिका (पहला पुनरीक्षण)	—	98-02-28
18.	आईएस 4247 (भाग 3) : 1998 सतह पतबिजली केन्द्रों की संरचना डिजाइन की रीति संहिता भाग 3 उपसंरचना (दूसरा पुनरीक्षण)	आईएस 4247 (भाग 2) : 1978	98-03-31
19.	आईएस 5082 : 1998 विद्युत अनुप्रयोग के लिए एल्युमीनियम और एल्युमिनियम मिश्र बार छड़े, नलिकाएं, सेक्शन, प्लेटें और चबूतरे (दूसरा पुनरीक्षण)	आईएस 5082 : 1981	98-04-30
20.	आईएस 5285 : 1998 कागज एवं बोर्ड के रंगे विश्लेषण—परीक्षण पद्धतियाँ (पहला पुनरीक्षण)	आईएस 5285 : 1969	98-05-31
21.	आईएस 5347 (भाग 9) : 1998 अस्थि अन्तर्दोषों की अपेक्षाएं भाग 9 शुद्धतम ऐलुमना पर आधारित निरेमिक सामग्री (पहला पुनरीक्षण)	आईएस 5347 (भाग 9) : 84	98-07-31
22.	आईएस 5989 : 1998 होल मिल—विशिष्ट (दूसरा पुनरीक्षण)	आईएस 5989 : 1987	98-03-31
23.	आईएस 6283 (भाग 2) : 1998 कृषि तथा वनविज्ञान के लिए ट्रैक्टर तथा मशीनरी, पावरकृत लॉन तथा बगीचे सम्बन्धी उपस्कर—प्रचालक नियंत्रण तथा अन्य प्रवर्तकों के लिए संकेत भाग 2 कृषि ट्रैक्टरों तथा मशीनरी के लिए संकेत (पहला पुनरीक्षण)	—	98-01-31
24.	आईएस 6695 : 1998 मधुमक्खी—संरक्षण एवं पालन की संहिता (पहला पुनरीक्षण)	आईएस 6695 : 1975	98-03-31
25.	आईएस 7999 : 1998 संबंधी विश्लेषण उपकरण—उच्च उत्पाद चखने हेतु गिलास (पहला पुनरीक्षण)	आईएस 7999 : 1976	98-07-31
26.	आईएस 8261 (भाग 4) : 1998 स्कैलटल संरक्षण हेतु पिन व तारे भाग 4 सामग्री तथा यांत्रिक अपेक्षाएं (पहला पुनरीक्षण)	आईएस 8261 (भाग 4) : 1984	98-07-31
27.	आईएस 8811 : 1998 सादा कार्बन एवं अल्प मिश्रित इस्पात का उत्सर्जन स्पेक्ट्रोमेट्रिक विश्लेषण प्रणाली प्वाइंट टू प्लेन तकनीक (पहला पुनरीक्षण)	आईएस 8811 : 1978	98-02-28

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28.	आईएस 9879 : 1998 आस्टेनितिक एवं फेरिटिक धातु रहित इस्पात का उत्सर्जन स्पेक्ट्रोमेट्रिक विश्लेषण प्रणाली प्लांट टू प्लेन तकनीक (पहला पुनरीक्षण)	आईएस 9879 : 1981	98-03-31
29.	आईएस 10126 (भाग 1) : 1998 विलायक युक्त विद्युत- रोधी बालिश भाग 1 परिभाषा और सामान्य अपेक्षाएं (पहला पुनरीक्षण)	आईएस : 10026 (भाग 1) : 81	98-05-31
30.	आईएस 11298 (भाग 3/अनु. 4) : 1998 विद्युत प्रयोजनों के लिए प्लास्टिक फिल्म भाग 3 अलग-अलग सामग्रियों की विशिष्टियां अनु. 4 विद्युत रोधन में प्रयुक्त पाली- कार्बोनेट (पीसी) फिल्म की अपेक्षाएं	---	98-07-31
31.	आईएस 11298 (भाग 3/अनु. 5 से 7) : 98 विद्युत प्रयोजनों के लिए प्लास्टिक फिल्म भाग 3 अलग-अलग सामग्रियों की विशिष्टियां अनु. 5 से 7 पॉलीमाइड फिल्म की अपेक्षाएं	---	98-07-31
32.	आईएस 11298 (भाग 3/अनु. 8) : 1998 विद्युत प्रयोजनों के लिए प्लास्टिक फिल्म भाग 3 अलग-अलग सामग्रियों की विशिष्टियां अनु. 8 विद्युत रोधन में प्रयुक्त फ्लूरोइथाइलीन प्रोपाइलीन (एफ ई पी) फिल्मों की अपेक्षाएं	---	98-07-31
33.	आईएस 11850 : 1998 स्वचल वाहन ओडोमीटर प्रणाली--मूल्यांकन पद्धति (पहला पुनरीक्षण)	आईएस 11850 : 1986	98-05-31
34.	आईएस 12299 : 1998 डायरी ग्लाइडर--विशिष्ट (पहला पुनरीक्षण)	आईएस 12299 : 1988	98-02-28
35.	आईएस 12746 (भाग 5/अनु. 2) : 1998 दूर नियंत्रण और तंतु भाग 5 संचारण पूर्व लेख अनु. 2 संपर्क संचारण कार्य विधियां	---	98-06-30
36.	आईएस 13334 (भाग 1) : 1998 मलाई रहित दूध पाउडर --विशिष्ट भाग 1 मातक ग्रेड (पहला पुनरीक्षण)	आईएस 13334 (भाग 1) : 1992	98-02-28
37.	आईएस 13412 (भाग 2) : 1998 दूर संचारण और इलेक्ट्रॉनिकी उपकरण में प्रयुक्त ट्रांसफार्मरों और प्रेरकों के लिए परतदार ओड पैकेज की विशिष्टि भाग 2 विद्युत लक्षण	---	98-05-31
38.	आईएस 13465 (भाग 3/अनु. 5) : 1998 विद्युत रोधन के लिए प्रयुक्त विलायक पोलिमराइजेबल रेजिनी मिश्रण-- विशिष्टि भाग 3 अलग-अलग सामग्रियों की विशिष्टियां अनु. 5 एपॉक्सी फिनील नोबोलेक रेजिन आईएस 13475 (भाग 2) : 1993 बालिकी औजार-- डंडल हटाने वाली मशीन--विशिष्टि भाग 2 हेवी ड्यूटी	---	98-05-31

63. आई एस 14531 : 1998 औद्योगिक रोबोट परिचालन— गुणधर्म की प्रस्तुति		
64. आई एस 14532 : 1998 बाहरी तथा आन्तरिक 7/24 टेपर तथा टेनन ड्राइव वाली रिडक्शन स्लीव-आयाम		
65. आई एस 14535 : 1998 उत्पादों के निर्माण के लिए पुनः क्रमित प्लास्टिक पदनाम	---	
66. आई एस 14536 : 1998 निमज्जन पंपसैटों का चयन, संस्थापन, प्रचालन तथा रखरखाव-रीति संहिता	---	
67. आई एस 14540 : 1998 अंतः कृषि उपस्कर -हस्तचालित कुदाल-विशिष्ट	---	
68. आई एस 14541 : 1998 बानिकी तथा बागानी के औजार— कुदाल और कांटे-विशिष्ट	---	
69. आई एस 14542 : 1998 आंशिक मलाई रहित दूध पाउडर — विशिष्ट	---	
70. आई एस 14546 : 1998 अन्तः देशीय पोत-अन्तःदेशीय जल मार्गों पर पोतों द्वारा उत्सर्जित शोर का मापन-रीति संहिता	---	
71. आई एस 14557 : 1998 स्वचल वाहन-शीतलीकरण कार्य- कारिता-मापन पद्धति	---	
72. आई एस 14565 : 1998 बस्त्रादि सहायक-सिलिकॉन इमल्सनों के संसञ्चन एवं आकसन की परीक्षण विधियां	---	98-0.
73. आई एस 14568 (भाग 2) : 1998 घूर्णी विद्युत मशीनों के लिए आयाम और आउटपुट श्रृंखला भाग 2 फ्रेम संख्या 355 से 1000 और फ्लेंज संख्या 1180 से 2360	---	98-06-
74. आई एस 14570 : 1998 ए.सी. विद्युत सिगनलों को एनालॉग या डिजिटल सिगनलों में परिवर्तन हेतु विद्युत मापन ट्रांसडेयूसर्स	---	98-06-30
75. आई एस 14573 : 1998 खुले जलमार्गों में ब्रव का प्रवाह मापन वेग-क्षेत्र पद्धतियां-मापन त्रुटियां ज्ञात करने के लिए आंकड़ों का संग्रहण और संसाधन	---	98-05-31
76. आई एस 14574 : 1998 वियर और अवनालिकाओं द्वारा खुले चैनल में तरल प्रवाह मापन-मुक्त अपरिपात (सन्निकट पद्धति) के साथ गैर-आयताकार चैनल में प्रवाह है आकलन के लिए अन्त गहराई मापन विधि	---	98-06-30
77. आई.एस. 14576 : 1998 वायुमान-अधिक क्षमता वाले वायुमानों के लिए स्वचालित सीढ़ियां-प्रकार्यात्मक अवधारण	---	98-07-31

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78.	आई एस न्यूसी 210700 (1998)—प्रकाशीय तंतुओं और केबलों के लिए संयोजक भाग 7 अनुभाग विशिष्ट—तंतु प्रकाशिक संयोजक—टाइप एफ सी	--	98-06-30

इन भारतीय मानकों की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुरशाह जफर मार्ग, नई दिल्ली-110002 और क्षेत्रीय कार्यालयों नई दिल्ली, कलकत्ता, जम्शेदपुर, मद्रास तथा मुम्बई और शाखा कार्यालयों अहमदाबाद, बंगलूर, भोपाल, भुवनेश्वर, कोयम्बतूर, फरीदाबाद, गजियाबाद, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, लखनऊ, पटना तथा बिरुवनस्तापुरम में बिक्री हेतु उपलब्ध हैं।

[सं. के. प्र. बि./13 : 2]
बी. मुखर्जी, जवर महानिदेशक

MINISTRY OF FOOD AND CONSUMER AFFAIRS
BUREAU OF INDIAN STANDARDS

New Delhi, the 20th August, 1998

S.O. 1743.—In pursuance of clause (b) of Sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notified that the Indian Standard(s), particulars of which is/are given in the Schedule hereto annexed, has/have been established on the date indicated against each;

THE SCHEDULE

Sl. No. year and Title of the Indian Standard(s) No. Established	No. and year of the Indian Standard or Standards, if any, superseded by the new Indian Standard	Date of Establish- ment
(1)	(2)	(3)
(4)		
1. IS 228 (Part 17) : 1998—Methods for Chemical ana- lysis of steels Part 17 Determination of nitrogen by thermal conductivity method (For nitrogen up to 0.04 percent) (Second Revision)	—	98-05-31
2. IS 228 (Part 18) : 1998—Methods of chemical analy- sis of steels Part 18 Determination of oxygen by instru- mental method (For oxygen 0.001 to 0.1000 percent) (Second Revision)	—	98-05-3
3. Is 785:1998—Reinforced concrete poles for overhead power and telecommunication lines—Specification (Second Revision)	IS 785:1964	98-03-31
4. IS 1448[P:147]:1998—Methods of test for petroleum and its products [P:147] Determination of potential gum in motor gassolines	—	98-05-31
5. IS 1515:1998—Beehives—Specification (Third Revision)	IS 1515:1981	98-03-31
6. IS 1678:1998—Prestressed concrete poles for over- head power traction and telecommunication lines— Specification (Second Revision)	IS 1678:1978	98-03-31

7. IS 1784:1998—Screwed closures for drums—Specification (Third Revision)	IS 1784:1984	98-02-28
8. IS 1878 (Part 3):1998—Test chart for general purpose parallel lathes Part 3 Lathes with swing over bed over 1600mm and up to 2500mm	—	98-03-3
9. IS 2322:1998—Species and endiments—Chilli, whole and ground (Powdered)—Specification (Second Revision)	IS 2322:1984	98-05-31
10. IS 2712:1998—Gaskets and packings—Compressed asbestos fibre joining—Specification (Third Revision)	IS 2712:1979	98-05-31
11. IS 2904:1998—Ball handles—Specification (First Revision)	IS 2904:1964	98-05-31
12. IS 2908:1998—Hand cranks—Specification (First Revision)	IS 2908:1964	98-03-31
13. IS 2909:1998—Star grips—Specification (First Revision)	IS 2909:1964	98-03-31
14. IS 3172:1997—Internal combustion engines—Fuel injection equipment—Single and double ended pipe unions (Single and double ended banjo)—Specification (Second Revision)	IS 3172:1974	97-07-31
15. IS 3342:1998—Soil working equipment—Cultivators, animal drawn—Specification (Second Revision)	IS 3342:1970	98-04-30
16. IS 3395:1997—Low density polyethylene (LDPE) and linear low density polyethylene (LLDPE) materials for moulding and extrusion—Specification (Second Revision)	IS 3395:1984	97-10-31
17. IS 4015:1998—Guide for handling cases for pesticide poisoning (First Revision)	—	98-02-28
18. IS 4247 (Part 3):1998—Code of practice for structural design of surface hydel power stations Part 3 Sub-structure (Second Revision)	IS 4247(Pt.3):78	98-03-31
19. IS 5082:1998—Wrought aluminium and aluminium alloy bars, rods, tubes, sections, plates and sheets for electrical applications (Second Revision)	IS 5082:1981	98-04-30
20. IS 5285 :1998—Fibre analysis of paper and board—Methods of test (First Revision)	IS 5285:1969	98-05-31
21. IS 5347(Part 9):1998—Requirements for orthopaedic implants Part 9 Ceramic materials based on high purity alumina (First Revision)	IS 5347(Pt.9):84	98-07-31
22. IS 5989:1998—Hole mills—Specification (Second Revision)	IS 5989:1987	98-0-31

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23.	IS 6283(Part 2):1998—Tractors and machinery for agriculture and forestry, powered lawn and garden equipment—Symbols for operator controls and other displays Part 2 Symbols for agricultural tractors and machinery (First Revision)	—	98-01-31
24.	IS 6695:1998—Honey bees—Code for conservation and maintenance (First Revision)	IS 6695:1975	98-03-31
25.	IS 7999:1998—Sensory analysis—apparatus—testing glass for liquid products (First Revision)	IS 7999:1976	98-07-31
26.	IS 8261(Part 4):1998—Pins and wires skeletal traction Part 4 Material and mechanical requirements (First Revision)	IS 8261(Pt. 4):84	98-07-31
27.	IS 8811:1998—Method for emission spectrometric analysis of plain carbon and low alloy steels point to plane technique (First Revision)	IS 8811:1978	98-02-28
28.	IS 9879:1998—Method for emission spectrometric analysis of austenitic and ferritic stainless steels point to plane technique (First Revision)	IS 9879:1981	98-03-31
29.	IS 10026(Part 1):1998—Insulating varnishes containing solvents Part 1 Definitions and general requirements (First Revision)	IS 10026(Pt. 1):81	98-05-31
30.	IS 11298(Part 3/Sec 4):98 Plastic films for electrical purposes Part 3 Specifications for individual materials Section 4 Requirements for polycarbonate (PC) films used for electrical insulation	—	98-07-31
31.	IS 11298(Part 3/Sec 5 to 7):98 Plastic films for electrical purposes Part 3 Specifications for individual materials Sections 5 to 7 Requirements for polyimide films used for electrical insulation	—	98-07-31
32.	IS 11298(Part 3/Sec 8):1998 Plastic films for electrical purposes Part 3 Specifications for individual materials Section 8 Requirements for fluoroethylene-propylene (FEP) films used for electrical insulation	—	98-07-31
33.	IS 11850:1998—Automotive vehicles—odometer systems—Method of evaluation (First Revision)	IS 11850:1986	98-05-31
34.	IS 12299:1998—Dairy whitener—Specification (First Revision)	IS 12299:1988	98-02-28

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35. IS 12746(Part 5/Sec 2):98—Telecontrol equipment and systems Part 5 Transmission protocols Section 2 Link transmission procedure	—		98-06-30
36. IS 13334(Part 1):1998—Skimmed milk powder—Specification Part 1 Standard grade (First Revision)	IS 13334(Pt.1):92		98-02-28
37. IS 13412(Part 2):1998—Specification for laminated core packages for transformers and inductors used in telecommunication and electronic equipment Part 2 Electrical characteristics	—		98-05-31
38. IS 13465(Part 3/Sec 5):1998—Solventless polymerisable resinous compounds used for electrical insulation—Specification Part 3 Specifications for individual materials Section 5 Epoxy phenol novolac resin	—		98-05-31
39. IS 13485(Part 2):1998—Forestry tools—stalk puller—Specification Part 2 Heavy duty	—		98-05-31
40. IS 13840(Part 5):1998—Chemical analysis of ferro-titanium Part 5 Determination of sulphur by direct combustion method	—		98-02-28
41. IS 13840(Part 6):1998—Chemical analysis of ferro-titanium Part 6 Determination of titanium by X-Ray fluorescence spectrometric method	—		98-02-28
42. IS 14422 : 1997—Arms and ammunition—Rifle 5.5 mm (0.22"), bolt operated—Specification	—		97-09-30
43. IS 14434 : 1998—Polycarbonate moulding and extrusion materials—Specification	—		98-04-30
44. IS 14436 : 1997—Guidelines on determination of resistivity of rock specimen	—		97-07-31
45. IS 14476 : Parts 1 to 9 : 1998—Test pumping of water wells—Code of practice	—		98-02-28
46. IS 14479 : 1998—Electrotechnical compatibility of electrical and electronic installations in shops—Specification	—		98-03-31
47. IS 14481 (Part 1) : 1998—Radiation monitoring equipment for accident and post-accident conditions in nuclear power plants Part General requirements	—		98-02-28
48. IS 14500 : 1998—Linear low-density polyethylene (LLDPE) films—Specification	—		98-03-31
49. IS 14502 : 1998—n-Dibutyl ether—Specification	—		98-02-28
50. IS 14503 : 1998—Testing of phosphate coatings—Methods	—		98-05-31
51. IS 14504 : 1998—Natural gas—Calculation of calorific values, density, relative density and wobble index from composition	—		98-01-31

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52. IS 14505 : 1998—Fire resisting magnetic media protection cabinets—Specification	—		98-03-31
53. IS 14507 : 1998—Diphenyl ether—Specification	—		98-02-28
54. IS 14508 : 1998—Oil of jasmorosa—Specification	—		98-02-29
55. IS 14515 : 1998—Fish pickles —Specification	—		98-02-28
56. IS 14519 : 1998—Guideline for fixing rates for irrigation water	—		98-03-31
57. IS 14522 : 1998—Honey processing unit—Technical requirements	—		98-03-31
58. IS 14525 : 1998—Forestry tools—Seed plucker—Specification	—		98-03-31
59. IS 14527 : 1998—Expression of performance— of pulse generators	—		98-03-31
60. IS 14529 ;Part: 2 : 1998—Chemical analysis of ferrosilicon-magnesium alloy Part 2 Determination of calcium and magnesium	—		98-03-31
61. IS 14528 : 1998—Tube and straight reducers for oil-hydraulic couplings	—		98-03-31
62. IS 14530 : 1998—Manipulating industrial robots—Safety	—		98-05-31
63. IS 14531 : 1998—Manipulating industrial robots—Presentation of characteristics	—		98-05-31
64. IS 14532 : 1998—Reduction sleeves with tenon drive with external and internal 7/24 taper—Dimensions	—		98-03-31
65. IS 14535 : 1998—Recycled plastics for the manufacturing of products—Designation	—		98-04-30
66. IS 14536 : 1998—Selection, installation, operation and maintenance of submersible pumpset—Code of practice	—		98-04-30
67. IS 14540 : 1998—Intercultivation equipment—Hand hoes—Specification	—		98-05-31
68. IS 14541 : 1998—Forestry and plantation tools—Hoes and forks—Specification	—		98-03-31
69. IS 14542 : 1998—Partly skimmed milk powder—Specification	—		98-02-28
70. IS 14546 : 1998—Inland vessels—Measurement of noise emitted by vessels on inland water-ways and harbours—Code of practice	—		98-03-31
71. IS 14557 : 1998—Automotive vehicles—Cooling performance —Method of measurement	£	—	98-06-30
72. IS 14565 : 1998—Textile auxiliaries—Methods of test for detection and estimation of silicone emulsions	—		98-05-31
73. IS 14568 (Part 2) : 1998—Dimensions and outputs series for rotating electrical machines Part 2 Frame numbers 355 to 1000 and flange numbers 1 180 to 2 360	—		98-06-30
74. IS 14570 : 1998—Electrical measuring transducers for converting a.c. electrical quantities to analogue or digital signals	—		98-06-30

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75.	IS 14573 : 1998—Liquid flow measurement in open channels—Velocity-area methods—Determination of errors in measurement	—	98-05-31
76.	IS 14574 : 1998—Measurement of liquid flow in open channels by weirs and flumes—End depth method for estimation of flow in non-rectangular channels with a free overfall (Approximate method)	—	98-06-30
77.	IS 14576 : 1998—Aircraft—Self-propelled passenger stairs for large capacity aircraft—Functional requirements	—	98-07-31
78.	IS QC 210700 (1998)—Connectors for optical fibres and cables Part 7 Sectional specification for fibre optic connector—Type FC	—	98-06-30

Copies of these Indian Standards are available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110 002 and Regional Officers: New Delhi, Calcutta, Chandigarh, Madras, and Mumbai and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Faridabad, Ghaziabad, Guwahati, Hyderabad, Jaipur, Kanpur, Lucknow, Patna, and Thiruvananthapuram.

[No. CMD/13 : 2]

B. MUKHERJI, Addl. Director General

नई दिल्ली, 20 अगस्त, 1998

का.आ. 1744.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उपनियम (i) के खंड 'ख' के अनुसर्ग में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि नीचे दिये गए मानक (को) में संशोधन किया गया है/किये गये है।

अनुसूची

क्रम संख्या	संशोधित भारतीय मानक की संख्या और वर्ष	संशोधन की संख्या और तिथि	संशोधन लागू होने की तारीख
(1)	(2)	(3)	(4)
1.	आई एस 1273 : 1998	संशोधन सं. 1 अगस्त 1998	98-08-31
2.	आई एस 1604 : 1994	संशोधन संख्या 1 अगस्त 1998	98-08-31
3.	आई एस 2771 (भाग 1) : 1990	संशोधन सं. 2 अप्रैल 1998	98-04-30
4.	आई एस 2960 : 1964	संशोधन सं. 1 जुलाई 1998	98-07-31
5.	आई एस 3829 (भाग 3) : 1985	संशोधन सं. 2 अगस्त 1998	98-09-31
6.	आई एस 5339 : 1978	संशोधन सं. 1 जुलाई 1998	98-07-31
7.	आई एस 5383 : 1978	संशोधन सं. 2 जुलाई 1998	98-07-31
8.	आई एस 5734 : 1970	संशोधन सं. 1 मई 1998	98-05-31

1	2	3
9. आई एस 6106 : 1971	संशोधन सं. 3 अगस्त 1998	98-08-31
10. आई एस 6593 : 1972	संशोधन सं. 3 अगस्त 1998	98-08-31
11. आई एस 6608 : 1978	संशोधन सं. 2 जुलाई 1998	98-07-31
12. आई एस 7081 : 1973	संशोधन सं. 4 अगस्त 1998	98-08-31
13. आई एस 7669 : 1990	संशोधन सं. 1 अगस्त 1998	98-08-31
14. आई एस 7884 : 1992	संशोधन सं. 3 अगस्त 1998	98-08-31
15. आई एस 9245 : 1994	संशोधन सं. 2 जुलाई 1998	98-07-31
16. आई एस 10177 : 1982	संशोधन सं. 1 अप्रैल 1998	98-04-30
17. आई एस 10284 : 1982	संशोधन सं. 2 अगस्त 1998	98-08-31
18. आई एस 10999 : 1984	संशोधन सं. 1 जुलाई 1998	98-07-31
19. 11142 : 1984	संशोधन सं. 1 जुलाई 1998	98-07-31
20. आई एस 11536 : 1997	संशोधन सं. 1	98-08-31
21. आई एस 13573 : 1992	अगस्त 1998 संशोधन सं. 2 अगस्त 1998	98-08-31

इन संशोधनों की प्रतियां भारतीय मानक ब्यूरो, मानक भवन, बहादुरशाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों नई दिल्ली, कलकत्ता, चण्डीगढ़, मद्रास तथा मुम्बई और शाखा कार्यालयों अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, फरीदाबाद, गाजियाबाद, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, लखनऊ, पटना तथा तिरुवनन्तपुरम में बिक्री हेतु, उपलब्ध हैं।

[सं. के प्र बि/13 : 5]

बी. सुखर्जी, अपर महानिदेशक

New Delhi, the 20th August, 1998

S.O. 1744.—In pursuance of clause (b) of Sub-rule (1) of Rule (1) of Rule 7 of the Bureau of Indian Standards Rules 1987, the Bureau of Indian Standards hereby notifies that amendments to the Indian Standard(s), particulars of which is/are given in the Schedule hereto annexed, has/have been issued:

SCHEDULE

Sl. No.	No. and year of the Indian Standards(s)	No. and year of the amendment	Date from which the amendment shall have effect
1.	IS 1273 : 1989	Amendment No. 1 August 1998	98-08-31
2.	IS 1604 : 1994	Amendment No. 1 August 1998	98-08-31
3.	IS 2771 (Part 1) : 1990	Amendment No. 2 April 1998	98-04-30
4.	IS 2960 : 1964	Amendment No. 1 July 1998	98-07-31
5.	IS 3829 (Part 3) : 1985	Amendment No. 2 August 1998	98-08-31
6.	IS 5339 : 1978	Amendment No. 1 July 1998	98-07-31
7.	IS 5383 : 1978	Amendment No. 2 July 1998	98-07-31
8.	IS 5734 : 1970	Amendment No. 1 May 1998	98-05-31
9.	IS 6106 : 1971	Amendment No. 3 August 1990	90-08-31
10.	IS 6593 : 1972	Amendment No. 3 August 1998	90-08-31
11.	IS 6608 : 1970	Amendment No. 2 July 1998	98-07-31
12.	IS 7001 : 1973	Amendment No. 4 August 1998	98-08-31
13.	IS 7669 : 1990	Amendment No. 1 August 1998	98-08-31
14.	IS 7884 : 1992	Amendment No. 3 August 1998	98-08-31
15.	IS 9245 : 1994	Amendment No. 2 July 1998	98-07-31
16.	IS 10177 : 1982	Amendment No. 1 April 1998	98-04-30
17.	IS 10284 : 1982	Amendment No. 2 August 1998	98-08-31
18.	IS 10999 : 1984	Amendment No. 1 July 1998	98-07-31
19.	IS 11142 : 1984	Amendment No. 1 July 1998	98-07-31
20.	IS 11536 : 1997	Amendment No. 1 August 1998	98-08-31
21.	IS 13573 : 1992	Amendment No. 2 August 1998	98-08-31

Copies of these amendments are available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices: New Delhi, Calcutta, Chandigarh, Madras and Mumbai and also Branch Offices; Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Faridabad, Ghaziabad, Guwahati, Hyderabad, Jaipur, Kanpur, Lucknow, Patna, and Thiruvananthapuram.

[No. CMD/13:5]

D. MUKHERJI, Addl. Director General

कोयला मंत्रालय

नई दिल्ली, 17 अगस्त, 1998

का.आ 1745.—केन्द्रीय सरकार ने कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम 1957 (1957 का 20) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 7 की उपधारा (1) के अधीन निकाली गई भारत सरकार के कोयला मंत्रालय की अधिसूचना सं. का.आ. 3454 तारीख 5 दिसम्बर, 1996 जो भारत के राजपत्र, भाग II, खंड 3, उपखंड (ii) तारीख 2 दिसम्बर, 1996 में प्रकाशित की गई थी द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट परिक्षेत्र में, 1675.856 हेक्टेयर (लगभग) या 4141.04 एकड़ (लगभग) माप वाली भूमि में खनिजों के खनन, खदान, बगैर करने के लिये उनकी खुदाई करने और तलाश करने, उन्हें प्राप्त करने, उन पर कार्य करने और उन्हें ले जाने के अधिकारों का अर्जन करने के अपने आशय की सूचना दी थी,

और सक्षम अधिकारी ने उक्त अधिनियम की धारा 8 के अनुसरण में केन्द्रीय सरकार को अपनी रिपोर्ट दी है,

और केन्द्रीय सरकार, का पूर्वोक्त रिपोर्ट पर विचार करने के पश्चात् और मध्य प्रदेश सरकार से परामर्श करने के पश्चात् यह समाधान हो गया है कि इससे संलग्न अनुसूची में वर्णित 1675.856 हेक्टेयर (लगभग) या 4141.04 एकड़ (लगभग) माप वाली भूमि में खनिजों के खनन, खदान, बोर करने के लिये उनकी खुदाई करने और तलाश करने, उन्हें प्राप्त करने उन पर कार्य करने और उन्हें ले जाने के अधिकार अर्जित किये जाने चाहिये,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 9 की उपधारा (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इससे सम्बन्धित अनुसूची में वर्णित 1675.856 हेक्टेयर (लगभग) या 4141.04 एकड़ (लगभग) माप वाली भूमि में खनिजों के खनन, खदान, बोर करने के लिये उनकी खुदाई करने और तलाश करने, उन्हें प्राप्त करने, उन पर कार्य करने और उन्हें ले जाने के अधिकार अर्जित किये जाते हैं।

इस अधिसूचना के अन्तर्गत आने वाले क्षेत्र के रेखांक सं. एस.ई.सी.एल/बीएसपी/जीएम (पी एल जी)/भूमि/187 (ए) तारीख 7 अगस्त, 1997 का निरीक्षण कलक्टर, शहडोल (मध्य प्रदेश) के कार्यालय में या कीयला नियंत्रक, 1, काउंसिल हाउस स्ट्रीट, कलकत्ता के कार्यालय में, या साउथ ईस्टर्न कोलफील्ड्स लि. (राजस्व विभाग) सीपत रोड, बिलासपुर 495006 (मध्य प्रदेश) के कार्यालय में किया जा सकता है।

अनुसूची

शीतल धारा और सोमना ब्लॉक

हसदेव क्षेत्र

जिला-शहडोल (मध्य प्रदेश)

खनन अधिकार

राजस्व भूमि

क्रम सं.	ग्राम मौजा	बंदोबस्त सं.	पटवारी हल्का सं.	तहसील	जिला	हेक्टर में क्षेत्र	टिप्पणियां
1.	डांगरिया-कला	398	21	कोतमा	शहडोल	281.420	भाग
2.	नगारा बांध	515	22	कोतमा	शहडोल	217.802	संपूर्ण
3.	रेउन्दा	895	23	कोतमा	शहडोल	425.971	भाग
4.	कोरजा	126	20	कोतमा	शहडोल	372.477	भाग
5.	केनापारा	84	21	कोतमा	शहडोल	206.190	संपूर्ण

कुल 1503.860 हेक्टर

वन भूमि

क्रम सं.	ग्राम/मौजा,	बंदोबस्त सं.	पटवारी हल्का सं.	रेंज	प्रभाग	हेक्टर में क्षेत्र	टिप्पणियां
1.	रेउन्दा	895	23	कोतमा	दक्षिणी शहडोल	87.490	भाग
2.	कोरजा	126	20	कोतमा	दक्षिणी शहडोल	84.506	भाग

कुल 171.996 हेक्टर

कुल योग 1675.856 हेक्टर (लगभग) या
4141.04 एकड़ (लगभग)

1. ग्राम डांगरिया-कला (भाग) में अर्जित खसरा सं.

60(भाग), 63(भाग), 67(भाग), 167(भाग), 173(भाग), 174(भाग), 175, 176, 177 (भाग), 178(भाग), 179 से 229, 230 (भाग), 231 से 378, 379(भाग), 395 (भाग), 396(भाग), 397(भाग), 398(भाग), 399 से 421, 422 (भाग), 423(भाग), 424(भाग), 425(भाग), 457 (भाग), 458, 459, 460 (भाग), 461, 462(भाग), 465(भाग), 466 से 470, 471(भाग), 472(भाग), 473 से 534।

2. ग्राम नगराबांध (संपूर्ण) में अर्जित खसरा सं.

1 से 317, 45/318

3. ग्राम रेउन्दा (भाग) में अर्जित खसरा सं.

1 से 419, 420(भाग), 421 से 428, 429(भाग), 430 से 433, 434 (भाग), 438 (भाग), 439(भाग), 440 से 447, 448(भाग), 449 से 575, 576(भाग), 577 से 579, 580(भाग), 581(भाग), 586, 591(भाग), 592 से 602, 603(भाग), 604, 605(भाग), 606, 607(भाग), 608 से 633, 634(भाग), 635(भाग), 636(भाग), 637(भाग) ।

4. ग्राम कोरजा (भाग) में अर्जित खसरा सं.

1 से 62, 63(भाग), 64(भाग), 65(भाग), 78 (भाग), 79(भाग), 80 (भाग), 81 से 95, 97, 99, 101, 108(भाग), 109 से 241, 242(भाग), 269(भाग), 270(भाग), 271(भाग), 272(भाग)

5. ग्राम केनापारा (संपूर्ण) में अर्जित खसरा सं.

1 से 814, 79/815, 5/816, 95/817, 624/818, 56/819, 111/820, 98/821, 98/822, 236/823, 222/824, 719/825, 675/826, 675/827, 679/828, 679/829, 401/830, 191/831

सीमा वर्णन

क-क1-क2-क3-क4

रेखा ग्राम डोगरिया कला और डोगरिया खुर्द की सम्मिलित ग्राम सीमा के "क" बिन्दु से आरंभ होती है और ग्राम डोगरिया कला की उत्तरी और पूर्वी सीमा फिर ग्राम केनापारा की उत्तरी और पूर्वी सीमा के साथ-साथ जाती है और बिन्दु "क4" पर मिलती है ।

क4-ख-ख1-ख2-ख3

रेखा ग्राम कोरजा की उत्तरी सीमा के साथ-साथ भागतः फिर खसरा सं. 63, 64, 65, 80, 79, 78, फिर खसरा सं. 101, 99 की पूर्वी सीमा के साथ खसरा सं. 97 की उत्तरी सीमा खसरा सं. 95, 94, 93 की दक्षिणी सीमा फिर खसरा सं. 108 फिर खसरा सं. 242, 269, 270, 272, 271, 272 से होकर जाती है और बिन्दु "ख3" पर मिलती है ।

ख3-ख-4-ख-5

रेखा ग्राम रेउन्दा की पूर्वोत्तर सीमा के साथ साथ भागतः जाती है और बिन्दु "ख5" पर मिलती है ।

ख-5-ग-घ--

रेखा ग्राम रेउन्दा में होते हुए खसरा सं. 420, 429, 434, 438, 439, 448, 439, 580, 581, 576, 591, 603, 605, 607, 634, 635, 637, 636, 334 से होते हुए जाती है और बिन्दु "घ" पर मिलती है ।

घ-ङ--

रेखा ग्राम रेउन्दा की दक्षिणी सीमा के साथ-साथ (भागतः) जाती है और बिन्दु "ङ" पर मिलती है ।

ङ-ङ1-च

रेखा ग्राम रेउन्दा की पश्चिमी सीमा के साथ-साथ जाती है और बिन्दु "च" पर मिलती है ।

ख-च1-छ

रेखा कोरजा, नगराबांध की पश्चिमी सीमा के साथ-साथ जाती है और बिन्दु "छ" पर मिलती है

च-क

रेखा ग्राम डोगरिया कला से होकर जाती है और खसरा सं. 457, 460, 462, 465, 471, 472, 425, 424, 422, 423, 424, 396, 395, 397, 398, 379, 167, 173, 174, 230 174 177, 178, 177, 67, 63, 60 से होकर जाती है और आरंभक बिन्दु "क" पर मिलती है ।

New Delhi, the 17th August, 1998

[illegible]

FOREST LAND

Sl. No.	Village/Mouza	Settlement number	Patwari Halka number	Range	Division	Area in hectares	Remarks
1	2	3	4	5	6	7	8
1.	Rewnda	895	23	Kotma	South Shahdol	87.490	Part
2.	Korja	126	20	Kotma	South Shahdol.	84.506	Part
TOTAL : 171.996 hectares							
Grand Total ; 1675.856 hectares (approximately) or 4141.04 acres (approximately)							

1. Khasra numbers acquired in Village Dongaria-Kala (Part)

60(Part), 63(Part), 67(Part), 167(Part), 173(Part), 174(Part), 175, 176, 177(Part), 178(Part), 179 to 229, 230(Part), 231 to 378, 379(Part), 395(Part), 396(Part), 397(Part), 398(Part), 399 to 421, 422(Part), 423(Part), 424(Part), 425 (Part), 457(Part), 458, 459, 460(Part), 461, 462(Part), 465(Part), 466 to 470, 471(Part), 472(Part), 473 to 534.

2. Khasra number acquired in village Nagarbandh (Full).

1 to 317, 45/318.

3. Khasra numbers acquired in village Rewnda (Part)

1 to 419, 420(Part), 421 to 428, 429(Part), 430 to 433, 434(Part), 438(Part), 439(Part), 440 to 447, 448 (Part), 449 to 575, 576(Part), 577 to 579, 580(Part), 581(Part), 586, 591(Part), 592 to 602, 603(Part), 604, 605(Part), 606, 607(Part), 608 to 633, 634(Part), 635(Part), 636(Part), 637(Part).

4. Khasra numbers acquired in village Korja (Part)

1 to 62, 63(Part), 64(Part), 65(Part), 78(Part), 79(Part), 80(Part), 81 to 95, 97, 99, 101, 108(Part), 109 to 241, 242(Part), 269(Part), 270(Part), 271(Part), 272(Part).

5. Khasra number acquired in village Kenapara (Full)

1 to 814, 79/815, 5/816, 95/817, 624/818, 56/819, 111/820, 98/821, 98/822, 236/823, 222/824, 719/825, 675/826, 675/827, 679/828, 679/829, 401/830, 191/831.

BOUNDARY DESCRIPTION :

- A-A1-A2-A3-A4. Line starts from point 'A' on the common village boundary of village Dongaria-Kala and Dongaria-Khurd and passes along the Northern and Eastern boundary of Village Dongariakala, then Northern and Eastern boundary of village Kenapara and meets at point A-4.
- A4-B-B1-B2-B3. Line passes partly along the Northern boundary of village Korja then through Khasra numbers, 63, 64, 65, 80, 79, 78, then along the Eastern Boundary of Khasra numbers 101, 99, Northern boundary of Khasra number 97, Southern boundary of Khasra numbers, 95, 94, 93, then through Khasra number 108, 242, 269, 270, 272, 271, 272 and meets at point 'B3'.
- B3-B4-B-5 Line passes partly along the North Eastern boundary of village Rewnda and meets at point 'B5'.
- B5-C-D Line passes through village Rewnda through Khasra numbers 420, 429, 434, 438, 439, 448, 439, 580, 581, 576, 591, 603, 605, 607, 634, 635, 637, 636, 634 and meets at point 'D'.
- D-E Line passes partly along the Southern boundary of village Rewnda and meets at point 'E'.
- E-E1-F Line passes along the Western boundary of village Rewnda and meets at point 'F'.

F-F1-G.	Line passes along the Western boundary of villages Korja, Nagarabandh and meets at point 'G'.
G-A	Line passes through village Dongaria-Kala and passes through Khasra numbers 457, 460, 462, 465, 471, 472, 425, 424, 422, 423, 424, 396, 395, 397, 398, 379, 167, 173, 174, 230, 174, 177, 178, 177, 67, 63, 60 and meets on the starting point 'A'.

[No. 43015/29/94/LSW/PRIW]
PREMA NAND DAS, Director

नई दिल्ली, 20 अगस्त, 1998

का.आ. 1746.—केन्द्रीय सरकार ने कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 7 की उपधारा (1) के अधीन निकाली गई, भारत सरकार के कोयला मंत्रालय की अधिसूचना सं. का.आ. 2301 तारीख 10 सितंबर, 1997 जो भारत के राजपत्र भाग 2, खंड 3, उपखंड (ii) तारीख 20 मितम्बर, 1997 में प्रकाशित की गई थी, द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट परिक्षेत्र की भूमि के अर्जन करने के अपने आशय की सूचना दी थी,

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 8 के अनुमरण में केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है ;

और केन्द्रीय सरकार का, पूर्वोक्त रिपोर्ट पर विचार करने के पश्चात् और मध्य प्रदेश सरकार से परामर्श करने के पश्चात् यह समाधान हो गया है कि—

(क) इससे संलग्न अनुसूची "क" में वर्णित 105.267 हैक्टर (लगभग) या 260.11 एकड़ (लगभग) माप वाली भूमि; और

(ख) इससे संलग्न अनुसूची "ख" में वर्णित 1648.397 हैक्टर (लगभग) या 4073.19 एकड़ (लगभग) माप वाली भूमि से अधिकार, अर्जित किये जाने चाहिये ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 9 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि—

(क) अनुसूची "क" में वर्णित 105.267 हैक्टर (लगभग) या 260.11 एकड़ (लगभग) माप वाली भूमि, और

(ख) अनुसूची "ख" में वर्णित 1648.397 हैक्टर (लगभग) या 4073.19 एकड़ (लगभग) माप वाली भूमि में अधिकार अर्जित किये जाते हैं ।

इस अधिसूचना के अन्तर्गत आने वाले क्षेत्र के रेखांक सं. एस.ई.सी.एल./बी.एस.पी./जी.एम.(पी.एल.जी.) भूमि/197 तारीख 1 जनवरी, 1998 का निरीक्षण कलक्टर, सरगुजा (मध्य प्रदेश) के कार्यालय में या कोयला नियंत्रक, 1, काउंसिल हाउस स्ट्रीट कलकत्ता के कार्यालय में या साउथ ईस्टर्न कोलफील्ड्स लि. (राजस्व अनुभाग) सीपत रोड, बिलासपुर-495006 (मध्य प्रदेश) के कार्यालय में किया जा सकता है।

अनुसूची—"क"

जोबगा भूमिगत परियोजना

लखनपुर कोलफील्ड्स,

बिलासपुर क्षेत्र

जिला-सरगुजा (मध्य प्रदेश)

सभी अधिकार

क्र. सं.	ग्राम का नाम	ग्राम संख्या	पटवारी हल्का सं.	तहसील	जिला	क्षेत्र है. में	टिप्पणियां
1.	गेतरा	138	50	अंबिकापुर	सरगुजा	105.267	भाग

कुल 105.267 हैक्टर (लगभग) या 260.11 एकड़ (लगभग)

ग्राम गेतरा (भाग) में अर्जित प्लॉट संख्या

1 (भाग), 269(भाग), 272(भाग), 274(भाग), 275(भाग), 278(भाग), 279(भाग), 280, 281(भाग), 282 से 294, 295 (भाग), 296, 297(भाग), 305(भाग), 306(भाग), 307(भाग), 314(भाग), 317(भाग), 318, 319(भाग), 320 से 341, 342(भाग), 343(भाग), 344 से 346, 347(भाग), 348(भाग), 349, 350(भाग), 351 (भाग) 352, 353(भाग), 358(भाग), 391(भाग), 401(भाग), 402 (भाग), 403(भाग), 404, 405(भाग), 408 (भाग), 412(भाग), 413(भाग), 414(भाग), 415(भाग), 457(भाग), 459(भाग), 460(भाग), 461(भाग); 462, 463(भाग), 464(भाग), 465(भाग)। 466 से 494, 495(भाग), 825(भाग), 839(भाग), 841(भाग), 842(भाग) 856(भाग), 862(भाग), 863(भाग), 864(भाग), 865, 866 867(भाग), 868(भाग), 869(भाग), 870 से 882, 883(भाग), 884(भाग), 885(भाग), 888(भाग), 889(भाग), 890(भाग), 891(भाग) 994 (भाग), 995(भाग), 998(भाग), 999, 1000, 1001(भाग), 1002(भाग), 1004(भाग), 1005(भाग), 1006 से 1009, 1010(भाग) 1011(भाग), 1012(भाग), 1014(भाग), 1015(भाग), 1016, 1017(भाग), 1018(भाग), 1019(भाग), 1020(भाग), 1022(भाग), 1025(भाग), 1026(भाग), 1027(भाग), 1028 से 1031, 1032(भाग), 1033 से 1035, 1036(भाग), 1037 से 1039, 1040(भाग), 1044(भाग), 1046(भाग), 1047(भाग), 1048, 1049, 1050(भाग), 1051(भाग), 1056(भाग), 1057(भाग), 1058 से 1062, 1063(भाग), 1064 से 1068, 1069(भाग), 1070, 1071(भाग), 1072(भाग), 1073(भाग); 1076(भाग), 1079(भाग), और 1231 (भाग) सीमा वर्णन

- क-ख-ग रेखा ग्राम गेतरा में बिन्दु “क” से आरंभ होती है और प्लॉट संख्या 1036, 994 995, 998, 1001, 1002, 1004, 1005, 891, 890, 889, 888, 894, 883, 885, 856, 864, 863, 862, 867 से होकर जाती है तथा “ग” पर मिलती है।
- ग-घ-ङ रेखा प्लॉट सं. 867, 868, 869, 842, 841, 1010, 1011, 1012, 1014, 1015, 1017, 839, 1019, 1018, 1020, 1022, 1032, 1026, 1027, 1025, 1050, 1051, 1069, 1057, 1056, 825, 1231, 495, 281, 278, 279, 274, 272, 295, 269, 297, 305, 306, 307, 314, 319, 317, 342, 343, 1 से होकर ग्राम गेतरा में जाती है और बिन्दु “ङ” पर मिलती है।
- ङ-ड-१-२-३-च रेखा आरक्षित वन और बेसतरा ग्राम की सम्मिलित सीमा के साथ जाती है और बिन्दु “च” पर मिलती है।
- च-च 1 रेखा आरक्षित वन और गेतरा ग्राम की सम्मिलित सीमा के साथ-साथ जाती है और बिन्दु “च 1” पर मिलती है।
- च 1-क रेखा प्लॉट संख्या 1, 347, 358, 348, 353, 391, 351, 350, 351, 401, 402, 403, 408, 413, 412, 415, 414, 457, 465, 464, 463, 457, 459, 460, 461; 1079, 1063, 1076, 1071, 1073, 1072, 1046, 1047, 1044, 1040, से होकर ग्राम गेतरा में जाती है और भागतः जोबगा नाले के उत्तरी किनारे के साथ-साथ तथा आरंभिक “क” पर मिलती है।

अनुसूची “ख”

जोबगा भूमिगत परियोजना

नखनपुर कोल्डफील्ड्स

विश्वासपुर क्षेत्र

जिला सरगुजा (मध्य प्रदेश)

खनत अधिकार

क्रम सं.	ग्राम का नाम	ग्राम सं.	पटवारी हल्का सं.	तहसील	जिला	क्षेत्र है. में	टिप्पणियां
1.	सपकरा	418	43	सरगुजा	सरगुजा	83.590	भाग
2.	पोंडी	270	45	सरगुजा	सरगुजा	176.520	भाग
3.	मानी	659	45	सरगुजा	सरगुजा	472.360	भाग
4.	जोबगा	275	45	सरगुजा	सरगुजा	117.280	भाग
5.	गेतरा	138	50	अविकापुर	सरगुजा	251.035	भाग
योग				1101.385 हेक्टेयर			

वन भूमि क्रम सं वन का नाम	डिवीजन	वॉगार्डमेंट सं	क्षेत्र हेक्टेयर में	टिप्पणियां
1. आरक्षित वन	दक्षिण सरगुजा	307	134.390	संपूर्ण
7. आरक्षित वन	दक्षिण सरगुजा	306	91.780	संपूर्ण
8. आरक्षित वन	दक्षिण सरगुजा	305	77.810	भाग
4. आरक्षित वन	दक्षिण सरगुजा	313	67.340	संपूर्ण
5. आरक्षित वन	दक्षिण सरगुजा	136	25.550	भाग
6. आरक्षित वन	दक्षिण सरगुजा	137	150.142	संपूर्ण
योग			547.012	हेक्टेयर
			1648.397 हेक्टेयर (लगभग) या	
			4073.19 एकड़ (लगभग)	

1. ग्राम सपकरा (भाग) में अर्जित प्लॉट सं. :—321 (भाग), 682 (भाग), 683 से 745, 746 (भाग), 747 (भाग), 767 (भाग), 774 (भाग), 775, 776 (भाग), 777 (भाग), 779 (भाग), 780, 781 (भाग), 782 से 786, 787 (भाग), 788 (भाग), 789 से 806, 808 से 825, 826 (भाग), 827, 828 (भाग), 830 (भाग), 831 (भाग), 832 (भाग), 833 (भाग), 859 (भाग), 867 (भाग) ।

2. ग्राम पोंडी (भाग) में अर्जित प्लॉट सं. :—188 (भाग), 189 (भाग), 190, 191, 192 (भाग), 193 (भाग), 194, 195 (भाग), 196 (भाग), 271 (भाग), 272 (भाग), 273 (भाग), 174 (भाग), 288 (भाग), 291 (भाग), 292 (भाग), 293 से 304, 305 (भाग), 306 से 363, 364 (भाग), 365 (भाग), 366 (भाग), 369 (भाग), 370 (भाग), 372 (भाग), 374 (भाग), 373 (भाग), 376 (भाग), 377 से 386, 387 (भाग), 388 (भाग), 391 (भाग), 392 (भाग), 393 से 551, 552 (भाग), 553 (भाग), 554, 555 (भाग), 556 से 574, 575 (भाग), 576, 577 (भाग), 581 (भाग), 605 (भाग), 606 (भाग), 607, 608, 609 (भाग), 793 (भाग), 794 (भाग), 806 (भाग), 887 (भाग), 890 (भाग), 891 (भाग), 897 (भाग), 898 (भाग), 899 (भाग), 900, 901 (भाग), 902 से 928, 929 (भाग), 930 (भाग), 931, 932 (भाग), 933 (भाग), 934 (भाग), 936 (भाग), 937 (भाग), 938 से 1094 ।

3. ग्राम सानी (भाग) में अर्जित प्लॉट सं. :—22 (भाग), 23 (भाग), 24 (भाग), 25 (भाग), 26 (भाग), 27 (भाग), 28 (भाग), 29 (भाग), 30 (भाग), 104 (भाग), 108 (भाग), 111 (भाग), 112 (भाग), 113 (भाग), 114 से 176, 177 (भाग), 178 (भाग), 179 से 860, 862 से 1183, 1679 ।

4. ग्राम जोबगा (भाग) में अर्जित प्लॉट सं. :—77 (भाग), 78, 79 (भाग), 80, 81 (भाग), 82 (भाग), 83 (भाग), 84 (भाग), 85 से 92, 93 (भाग), 94 (भाग), 95 (भाग), 96 (भाग), 110 (भाग), 125 (भाग), 126 से 133, 134 (भाग), 135, 136 (भाग), 137, 138, 139, 140 (भाग), 441 (भाग), 442 (भाग), 443, 444 (भाग), 445 (भाग), 446, 447 (भाग), 448 से 485, 486 (भाग), 487 (भाग), 610 (भाग), 611 (भाग), 613 (भाग), 614, 615, 616 (भाग), 617 से 636, 637, 644 (भाग), 645 (भाग), 647 से 709, 710 (भाग), 711, 712 (भाग), 713 (भाग), 719 (भाग), 724 (भाग), 833 (भाग), 834 से 836, 837 (भाग), 838 (भाग), 839 (भाग), 923 (भाग), 1021 (भाग), 1022 (भाग), 1023 (भाग), 1024 (भाग), 1027 (भाग), 1037 से 1040, 1041 (भाग), 1042 (भाग), 1044 (भाग), 1045 से 1076, 1077 (भाग), 1078 से 1152 ।

5. ग्राम गेतरा (भाग) में अर्जित प्लॉट संख्याक :—1 (भाग), 4 से 268, 269 (भाग), 270, 271, 272 (भाग), 273, 274 (भाग), 275 (भाग), 276, 277, 278 (भाग), 279 (भाग), 281 (भाग), 295 (भाग), 297 (भाग), 298 से 304, 305 (भाग), 306 (भाग), 307 (भाग), 308 से 313, 314 (भाग), 315, 316, 317 (भाग), 319 (भाग), 342 (भाग), 343 (भाग), 495 (भाग), 496 से 824, 825 (भाग), 826 से 838, 839 (भाग), 840, 841 (भाग), 842 (भाग), 843 से 855, 856 (भाग), 857 से 861, 862 (भाग), 863 (भाग), 864 (भाग), 867 (भाग), 868 (भाग), 869 (भाग), 883 (भाग), 884 (भाग), 885 (भाग), 886, 887, 888 (भाग), 889 (भाग), 890 (भाग), 891 (भाग), 892 से 970, 972 से 993, 994 (भाग), 995 (भाग), 996, 997, 998 (भाग), 1001 (भाग), 1002 (भाग), 1003, 1004 (भाग), 1005 (भाग), 1010 (भाग), 1011 (भाग) ।

1012 (भाग), 1013, 1014 (भाग), 1015 (भाग), 1017 (भाग), 1018 (भाग), 1019 (भाग), 1020 (भाग), 1021, 1022 (भाग), 1023, 10, 1025 (भाग), 1026 (भाग), 1027 (भाग), 1032 (भाग), 1036 (भाग), 1050 (भाग), 1051 (भाग), 1052।

सीमा वर्णन :

- क-ख-ग : रेखा ग्राम गेतरा में बिन्दु 'क' से आरम्भ होती है और सभी अधिकारों के अधीन अर्जित किए जाने वाले सम्मिलित सीमा क्षेत्र के साथ-साथ जाती है और बिन्दु 'ग' पर मिलती है।
- ग-घ-ङ : रेखा सभी अधिकारों के अधीन अर्जित किए जाने वाले सम्मिलित सीमा क्षेत्र के साथ-साथ जाती है और बिन्दु 'ङ' पर मिलती है।
- ङ—झ-11ङ-2 : रेखा सभी अधिकारों के अधीन अर्जित किए जाने वाले सम्मिलित सीमा क्षेत्र के साथ-साथ जाती है और बिन्दु 'घ' पर मिलती है।
- च-छ : रेखा आरक्षित वन कम्पार्टमेंट सं. 305, 136 से होकर जाती है और आरक्षित वन तथा बिन्दु 'छ' पर जोबगा ग्राम की सम्मिलित सीमा पर मिलती है।
- छ-ज : रेखा प्लॉट सं. 1022, 1023, 1024, 1077, 1027, 1028, 1029, 1021, 923, 1021, 1032, 1026, 1041, 1042, 1044, 1021, 1032, 1036, 1041, 1042, 1044, 1021, 839, 838, 837, 833, 710, 724, 712, 713, 719, 644, 645, 637, 613, 613, 611, 610, 616, 487, 486, 442, 441, 444, 445, 140, 447, 140, 136, 140, 134, 125, 110, 95, 94, 93, 96, 84, 96, 82, 77, 79, से होकर ग्राम जोबगा में जाती है और बिन्दु 'ज' पर मिलती है।
- ज-झ : रेखा ग्राम जोबगा-आरक्षित वन, ग्राम पोंडी-आरक्षित वन की सम्मिलित सीमा के साथ-साथ भागतः जाती है और बिन्दु 'झ' पर मिलती है।
- झ-ञ : रेखा प्लॉट सं. 189, 188, 192, 193, 195, 196, 391, 392, 388, 387, 375, 374, 378, 376, 369, 365, 366, 364, 366, 372, 271, 272, 274, 305, 292, 288, 291, 552, 553, 581, 555, 537, 575, 605, 606, 609, 793, 794, 806, 901, 897, 899, 898, 891, 929, 890, 930, 887, 932, 933, 934, 936, 937 से होकर ग्राम पोंडी में जाती है और बिन्दु 'ञ' पर मिलती है।
- टा-ठ : रेखा प्लॉट सं. 22, 23, 24, 25, 26, 27, 28, 29, 30, 108, 111, 112, 104, 113, 177, 178 से होकर ग्राम मानी जाती है और बिन्दु 'ट' पर मिलती है।
- ठ-ड : रेखा प्लॉट सं. 682, 321, 747, 746, 788, 787, 774, 776, 777, 779, 781, 767, 826, 828, 830, 831, 832, 859, 867 से होकर ग्राम सपकरा में जाती है और बिन्दु 'ठ' पर मिलती है।
- ड-ड-ड : रेखा रेहर नदी के पश्चिमी किनारे के साथ-साथ जाती है और बिन्दु 'ड' पर मिलती है।
- ड-क : रेखा जोबगा नाले के उत्तरी सीमा के साथ-साथ भागतः जाती है और आरम्भिक बिन्दु 'क' पर मिलती है।

[सं. 43015/16/96/एल.डब्ल्यू./पी आर आई डब्ल्यू]

प्रेमानन्द दास, निदेशक

New Delhi, the 20th August, 1998

S.O. 1746.—Whereas by the notification of the Government of India in the Ministry of Coal, No. S.O. 2301, dated the 10th September, 1997 issued under sub-section (1) of Section 7 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act) and published in Part II, Section 3, Sub-section (ii) of the Gazette of India, dated the 20th September, 1997 the Central Government gave notice of its intention to acquire the lands in the locality specified in the Schedule annexed to that notification;

And whereas the competent authority, in pursuance of Section 8 of the said Act has made his report to the Central Government;

And whereas the Central Government, after considering the report aforesaid and after consulting the Government of Madhya Pradesh, is satisfied that—

- (a) the lands measuring 105.267 hectares (approximately) or 260.11 acres (approximately) described in the Schedule 'A' appended hereto, and
- (b) the rights in the lands measuring 1648.397 hectares (approximately) or 4073.19 acres (approximately) described in the Schedule 'B' appended hereto,

should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 9 of the said Act, the Central Government hereby declares that—

- (a) the lands measuring 105.267 hectares (approximately) or 260.11 acres (approximately) described in the Schedule 'A', and
- (b) the rights in the lands measuring 1648.397 hectares (approximately) or 4073.19 acres (approximately) described in the Schedule 'B',

are hereby acquired.

The plan bearing No. SECL/BSP/GM(PLG)/Land 197, dated the 1st January, 1998 of the area covered by this notification may be inspected in the Office of the Collector, Surguja (Madhya Pradesh) or in the Office of the Coal Controller, I, Council House Street, Calcutta or in the Office of the South Eastern Coalfields Limited (Revenue Section), Seepat Road, Bilaspur-495006 (Madhya Pradesh.)

SCHEDULE—'A'

JOBGA UNDERGROUND PROJECT

LAKHANPUR COALFIELDS

BISRAMPUR AREA

DISTRICT-SURGUJA (MADHYA PRADESH)

ALL RIGHTS

Sl. No.	Name of village	Village number	Patwari Halka number	Tahsil	District	Area in hectares	Remarks
1	2	3	4	5	6	7	8
1.	Getra	138	50	Ambikapur	Surguja	105.267	Part

Total : 105.267 hectares (approximately) or
260.11 acres (approximately)

Plot number acquired in Village Getra (Part) :

1(Part), 269(Part), 272(Part), 274(Part), 275(Part), 278(Part), 279(Part), 280, 281(Part), 282 to 294, 295(Part), 296, 297(Part), 305(Part), 306(Part), 307(Part), 314(Part), 317(Part), 318, 319(Part), 320 to 341, 342(Part), 343(Part), 344 to 346, 347(Part), 348(Part), 349, 350(Part), 351(Part), 352, 353(Part), 358(Part), 391(Part), 401(Part), 402(Part), 403(Part), 404, 405(Part), 408(Part), 412(Part), 413(Part), 414(Part), 415(Part), 457(Part), 459(Part), 460(Part), 461(Part), 462, 463(Part), 464(Part), 465(Part), 466 to 494, 495(Part), 825(Part), 839(Part), 841(Part), 842(Part), 856(Part), 862(Part), 863(Part), 864(Part), 865, 866, 867(Part), 868(Part), 869(Part), 870 to 882, 883(Part), 884(Part), 885(Part), 888(Part), 889(Part), 890(Part), 891(Part), 994(Part), 995(Part), 998(Part), 999, 1000, 1001(Part), 1002(Part), 1004(Part), 1005(Part), 1006 to 1009, 1010(Part), 1011(Part), 1012(Part), 1014(Part), 1015(Part), 1016, 1017(Part), 1018(Part), 1019(Part), 1020(Part), 1022(Part), 1025(Part), 1026(Part), 1027(Part), 1028 to 1031, 1032(Part), 1033 to 1035, 1036 (Part), 1037 to 1039, 1040(Part), 1044(Part), 1046(Part), 1047(Part), 1048, 1049, 1050(Part), 1051(Part), 1056(Part), 1057(Part), 1058 to 1062, 1063(Part), 1064 to 1068, 1069(Part), 1070, 1071(Part), 1072(Part), 1073(Part), 1076(Part) 1079 (Part) and 1231(Part).

BOUNDARY DESCRIPTION

- A-B-C Line starts from point 'A' in village Getra and passes through plot numbers 1036, 994, 995, 998, 1001, 1002, 1004, 1005, 891, 890, 889, 888, 884, 883, 885, 856, 864, 863, 862, 867 and meets point 'C'.
- C—D—E Line passes in village Getra through plot numbers 867, 868, 869, 842, 841, 1010, 1011, 1012, 1014, 1015, 1017, 839, 1019, 1018, 1019, 1020, 1022, 1032, 1026, 1027, 1025, 1050, 1051, 1069, 1057, 1056, 825, 1231, 495, 281, 278, 279, 275, 274, 272, 295, 269, 297, 305, 206, 307, 314, 319, 317, 342, 343, 1 and meets at point 'E'.
- E—E1—E2—E3—F. Line passes along the common boundary of reserved forest and Getra village and meets at point 'F'.
- F—F1 Line passes along the common boundary of reserved forest and Getra village and meets at point 'F1'.
- F1—A Line passes in village Getra through plot numbers 1, 347, 358, 348, 353, 391, 351, 350, 351, 401, 402, 403, 408, 405, 413, 412, 415, 414, 457, 465, 464, 463, 457, 459, 460, 461, 1079, 1063, 1076, 1071, 1073, 1072, 1046, 1047, 1044, 1040 and partially along Northern Bank of Jobga Nalla and meets at starting point 'A'.

SCHEDULE—'B'**JOBGA UNDERGROUND PROJECT
LAKHANPUR COALFIELDS****BISRAMPUR AREA****DISTRICT—SURGUJA (MADHYA PRADESH)****MINING RIGHTS**

Serial number	Name of Village	Village number	Patwari Halka number	Tahsil	District	Area in hectares	Remarks
1.	Sapkara	418	43	Surajpur	Surguja	83.590	Part
2.	Pondi	270	45	Surajpur	Surguja	176.520	Part
3.	Mani	659	45	Sutajpur	Surguja	472.360	Part
4.	Jobga	275	45	Surajpur	Surguja	117.280	Part
5.	Getra	138	50	Ambikapur	Surguja	251.635	Part

Total : 1101.385 hectares

FOREST LAND

Serial number	Name of Forest	Division	Compartment number	Area in hectares	Remarks
1.	Reserved Forest	South Surguja	307	134.390	Full
2.	Reserved Forest	South Surguja	306	91.780	Full
3.	Reserved Forest	South Surguja	305	77.810	Part
4.	Reserved Forest	South Surguja	313	67.340	Full
5.	Reserved Forest	South Surguja	136	25.550	Part
6.	Reserved Forest	South Surguja	137	150.142	Full

Total : 547.012 hectares

Grand total : 1648.397 hectares (approximately) or
4073.19 acres (approximately)

1. Plot numbers acquired in Village Sapkara (Part). 321 (Part), 682 (Part), 683 to 745, 746 (Part), 747 (Part), 767 (Part), 774 (Part), 775, 776 (Part), 777 (Part), 779 (Part), 780, 781 (Part), 782 to 785, 787 (Part), 788 (Part), 789 to 806, 808 to 825, 826 (Part), 827, 828 (Part), 830 (Part), 831 (Part), 832 (Part), 833 (Part), 859 (Part), 867 (Part)

2. Plot numbers acquired in Village Pondi (Part). 188 (Part), 189 (Part), 190, 191, 192 (Part), 193 (Part), 194, 195 (Part), 196 (Part), 271 (Part), 272 (Part), 273 (Part), 274 (Part), 288 (Part), 291 (Part), 292 (Part), 293 to 304, 305 (Part), 306 to 363, 364 (Part), 365 (Part), 366 (Part), 369 (Part), 370 (Part), 372 (Part), 374 (Part), 375 (Part), 376 (Part), 377 to 386, 387 (Part), 388 (Part), 391 (Part), 392 (Part), 393 to 551, 552 (Part), 553 (Part), 554, 555 (Part), 556 to 574, 575 (Part), 576, 577 (Part), 581 (Part), 605 (Part), 606 (Part), 607, 608, 609 (Part), 793 (Part), 794 (Part), 806 (Part), 887 (Part), 890 (Part), 891 (Part), 897 (Part), 898 (Part), 899 (Part), 900, 901 (Part), 902 to 928, 929 (Part), 930 (Part), 931, 932 (Part), 933 (Part), 934 (Part), 936 (Part), 937 (Part), 938 to 1094.

3. Plot numbers acquired in village Mani (Part). 22 (Part), 23 (Part), 24 (Part), 25 (Part), 26, (Part), 27 (Part), 28 (Part), 29 (Part), 30 (Part), 104 (Part), 108 (Part), 111 (Part), 112 (Part), 113 (Part), 114 to 176, 177 (Part), 178 (Part), 179 to 860, 862 to 1183, 1679.

4. Plot numbers acquired in village Jobga (Part). 77 (Part), 78, 79 (Part), 80, 81 (Part), 82 (Part), 83 (Part), 84 (Part), 85 to 92, 93 (Part), 94 (Part), 95 (Part), 96 (Part), 110 (Part), 125 (Part), 126 to 133, 134 (Part), 135, 136 (Part), 137, 138, 139, 140 (Part), 441 (Part), 442 (Part), 443, 444 (Part), 445 (Part), 446, 447 (Part), 448 to 485, 486 (Part), 487 (Part), 610 (Part), 611 (Part), 613 (Part), 614, 615, 616 (Part), 617 to 636, 637 (Part), 644 (Part), 645 (Part), 647 to 709, 710 (Part), 711, 712 (Part), 713 (Part), 719 (Part), 724 (Part), 833 (Part), 834 to 836, 837 (Part), 838 (Part), 839 (Part), 923 (Part), 1021 (Part), 1022 (Part), 1023 (Part), 1024 (Part), 1027 (Part), 1028 (Part), 1029 (Part), 1030, 1031, 1032, (Part), 1036 (Part), 1037 to 1040, 1041 (Part), 1042 (Part), 1044 (Part), 1045 to 1076, 1077 (Part), 1078 to 1152.

5. Plot numbers acquired in village Getra (Part). 1 (Part), 4 to 268, 269 (Part), 270, 271, 272 (Part), 273, 274 (Part), 275 (Part), 276, 277, 278 (Part), 279 (Part), 281 (Part), 295 (Part), 297 (Part), 298 to 304, 305 (Part), 306 (Part), 307 (Part), 308 to 313, 314 (Part), 315, 316, 317 (Part), 319 (Part), 342 (Part), 343 (Part), 495 (Part), 496 to 824, 825 (Part), 826 to 838, 839 (Part), 840, 841 (Part), 842 (Part), 843 to 855, 856, (Part), 857 to 861, 862 (Part), 863 (Part), 864 (Part), 867 (Part), 868 (Part), 869 (Part), 883, (Part), 884 (Part), 885 (Part), 886, 887, 888 (Part), 889 (Part), 890 (Part), 891 (Part), 892 to 970, 972 to 993, 994 (Part), 995 (Part), 996, 997, 998 (Part), 1001 (Part), 1002 (Part), 1003, 1004 (Part), 1005 (Part), 1010 (Part), 1011 (Part), 1012 (Part), 1013, 1014 (Part), 1015 (Part), 1017 (Part), 1018 (Part), 1019 (Part), 1020 (Part), 1021, 1022 (Part), 1023, 1024, 1025 (Part), 1026 (Part), 1027 (Part), 1032 (Part), 1036 (Part), 1050 (Part), 1051 (Part), 1052 to 1055, 1056 (Part), 1057 (Part), 1213, 1222, 1227, 1228, 1229, and 1231 (Part).

Reserved Forest Compartment numbers acquired (Part). 307, 306, 305 (Part), 313, 136 (Part), 137, BOUNDARY DESCRIPTION.

- A—B—C Line starts from point "A" in village Getra and passes along the common boundary area acquired under all rights and meets at point 'C'.
- C—D—E Line passes along the common boundary area acquired under all rights and meets at point 'E'.
- E—E1—E2—E3—F. Line passes along the common boundary area acquired under all rights and meets at point 'F'.
- F—G Line passes through reserve forest compartment numbers 305, 136, and meets on the common boundary of reserved forest and Jobga village at point 'G'.
- G—H Line passes in Jobga village through plot numbers, 1022, 1023, 1024, 1077, 1027, 1028, 1029, 1021, 923, 1021, 1032, 1036, 1041, 1042, 1044, 1021, 839, 838, 837, 833, 710, 724, 712, 713, 719, 644, 645, 637, 613, 611, 610, 616, 487, 486, 442, 441, 444, 445, 140, 447, 140, 136, 140, 134, 125, 110, 95, 94, 93, 96, 84, 96, 82, 83, 81, 82, 77, 79 and meets at point 'H'.
- H—I Line passes partly along the common boundary of village Jobga-Reserved Forest, village Pondi-reserved forest and meets at point 'I'.

I—J	Line passes in village Pondi through plot numbers 189, 188, 192, 193, 195, 196, 391, 392, 388, 387, 375, 374, 370, 376, 369, 365, 366, 364, 366, 372, 271, 272, 273, 274, 305, 292, 288, 291, 552, 553, 581, 555, 577, 575, 605, 606, 609, 793, 794, 806, 901, 897, 899, 898, 891, 928, 929, 890, 930, 887, 932, 933, 934, 936, 937 and meets at point 'J'.
J—K	Line passes in village Mani through plot numbers 22, 23, 24, 25, 26, 27, 28, 29, 30, 108, 111, 112, 104, 113, 177, 178, and meets at point 'K'.
K—L	Line passes in village Sapkara through plot numbers 682, 321, 747, 746, 788, 787, 774, 776, 777, 779, 781, 767, 826, 828, 830, 831, 832, 833, 859, 867 and meets at point 'L'.
L—M—N	Line passes along western bank of Rehar River and meets at point 'N'.
N—A	Line passes partly along Northern boundary of Jobga Nalla and meets at the station pointing 'A' [No. 430/5/16/96-LW/PRIW]

PREMANAND DAS, Director

नई दिल्ली, 20 अगस्त 1998

का. आ. 1747.—केन्द्रीय सरकार को यह प्रतीत होता है कि इससे उपाय्य अनुसूची में उल्लिखित भूमि में कोयला अभिप्राप्त किए जाने की संभावना है ;

अतः अब, केन्द्रीय सरकार कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की (जिसे इससे इसके पश्चात् उक्त अधिनियम कहा गया है) धारा 4 की उपधारा (i) द्वारा प्रबन्ध शक्तियों का प्रयोग करते हुए, उस क्षेत्र में कोयले का पूर्वेक्षण करने के अपने आशय की सूचना देती है;

इस अधिसूचना के अंतर्गत आने वाले रेखांक सं. (एम. ई. सी.एल./बी.एस.पी./जी.एम. (पी.एल.जी)/भूमि/203 तारीख 27 मार्च, 1998 का निरीक्षण दक्षिण पूर्वी कोलफील्ड्स लिमिटेड (राजस्व अनुभाग) सीपत रोड बिलासपुर-495006 के कार्यालय में या कलक्टर बिलासपुर (म.प्र.) के कार्यालय में या कोयला नियंत्रक, 1 काउंसिल हाउस स्ट्रीट, कलकत्ता के कार्यालय में किया जा सकता है।

इस अधिसूचना के अंतर्गत आने वाली भूमि में, हितवन्ध सभी व्यक्ति उक्त अधिनियम की धारा 13 की उपधारा (7) में निश्चित सभी नक्शों, चार्टों और अन्य दस्तावेजों को इन अधिसूचना के राजपत्र में प्रकाशन की तारीख से नब्बे दिन के भीतर भारसाधक अधिकारी/विभागध्यक्ष (राजस्व) दक्षिण पूर्वी कोलफील्ड्स लिमिटेड, सीपत रोड, बिलासपुर-495006 (मध्य प्रदेश) को भेजेंगे।

अनुसूची

बांकी—मुराबछार दूरस्थ दक्षिणी विस्तार ब्लॉक

कोरवा कोलफील्ड्स

जिला बिलासपुर (मध्य प्रदेश)

(रेखांक सं. एम. ई. सी.एल./बी.एस.पी./जी.एम. (पी.एल.जी)/भूमि/203 तारीख 27 मार्च 1998 (वर्णित गण अधिसूचित भूमि में लिए पूर्वेक्षण)

क्रम सं.	ग्राम का नाम	पटवारी हल्का नं.	तहसील	जिला	क्षेत्र हैक्टर में	टिप्पणियां
1.	भैरोताल	58	कटघोरा	बिलासपुर	8.116	भाग
2.	गोवरा	54	कटघोरा	बिलासपुर	85.291	भाग
कुल					93.487 हैक्टर (लगभग)	या
					230.80 एकड़ (लगभग)	

सीमा वर्णन

क--ख--ग : रेखा भैरोताल और कुचेना ग्राम की सम्मिलित सीमा पर बिन्दु "क" से प्रारंभ होती है और भैरोताल गोबरा ग्रामों से होती हुई जाती है तथा बिन्दु "ग" पर मिलती है।

ग--क : रेखा गोबरा ग्राम की पूर्वोत्तर सीमा के साथ-साथ जाती है, उसके पश्चात् भागतः भैरोताल ग्राम की दक्षिणी सीमा के साथ-साथ जाती है और प्रारंभिक बिन्दु "क" पर मिलती है।

[सं. 43015/13/98-पी०आर०आई०डब्ल्यू०]

प्रेमानन्द दास निदेशक

New Delhi, the 20th August, 1998

S.O.1747.—Whereas it appears to the Central Government that coal is likely to be obtained from the lands mentioned in the Schedule hereto annexed;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the Coal Bearing Area (Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act), the Central Government hereby gives notice of its intention to prospect for coal therein.

The Plan, bearing number SECL/BSP/GM(PLG)/Land/203, dated the 27th March, 1998, of the area covered by this notification can be inspected in the Office of the South Eastern Coalfields Limited (Revenue Section), Seepat Road, Bilaspur-495006 or in the Office of the Collector, Bilaspur (Madhya Pradesh), or in the Office of the Coal Controller, 1, Council House Street, Calcutta.

All persons interested in the land covered by this notification shall deliver all maps, charts and other documents referred to in sub-section (7) of section 13 of the said Act to the Officer-in-Charge/Head of the Department (Revenue), South Eastern Coalfields Limited, Seepat Road, Bilaspur-495006-(Madhya Pradesh) within ninety days from the date of publication of this notification.

SCHEDULE

BANKI—SURAKACHHAR FAR—SOUTH EXTENSION BLOCK

KORBA COALFIELDS

DISTRICT—BILASPUR (MADHYA PRADESH)

(Plan No. SECL/BSP/GM(PLG)/LAND/203

dated the 27th March, 1998) (showing the land notified for prospecting)

Serial number	Name of village	Patwari Halka number	Tahsil	District	Area in hectare	Remarks
1.	Bhairotal	50	Katghora	Bilaspur	8.116	Part
2.	Geora	54	Katghora	Bilaspur	85.291	Part

Total : 93.407 hectares (approximately) or
230.80 acres (approximately)

Boundary description

A—B—C Line starts from point 'A' on the common boundary of village Kuchena and Bhairotal and passes through villages Bhairotal, Geora and meets at point 'C'.

C—A Line passes along the North-Eastern boundary of village Geora, then partly along the southern boundary of village Chairotal and meets at the starting point 'A'.

[No. 43015/13/98-PRJW]

PREMANAND DAS, Director

नई दिल्ली, 21 अगस्त, 1998

का. आ. 1748 :--केन्द्रीय सरकार ने कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम 1957 (1957 का 20) की धारा 7 की उपधारा (1) के अधीन भारत सरकार के कोयला मंत्रालय की अधिसूचना सं. का. आ. 2578 तारीख 21 अगस्त, 1996 जो भारत के राजपत्र तारीख 7 सितंबर, 1996 में प्रकाशित हुई थी द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट परिक्षेत्र की भूमि के अर्जन के आशय की सूचना दी थी ;

और उक्त अधिनियम की धारा 8 के अनुमरण में सक्षम प्राधिकारी ने केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है ;

और केन्द्रीय सरकार की उपरोक्त रिपोर्ट पर विचार करने और मध्य प्रदेश सरकार से परामर्श करने के पश्चात् यह समाधान हो गया है कि ;

(क) इसमें उपाबद्ध अनुसूची "क" में वर्णित 5.86 हैक्टर (लगभग) या 14.48 एकड़ (लगभग) माप वाली भूमि का; और

(ख) इसमें उपाबद्ध अनुसूची "ख" में वर्णित 516.52 हैक्टर (लगभग) या 1276.32 एकड़ (लगभग) माप वाली भूमि में अधिकारों का अर्जन किया जाना चाहिए ;

अतः, अब; केन्द्रीय सरकार उक्त अधिनियम की धारा 9 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि:--

(क) अनुसूची "क" में वर्णित 5.86 हैक्टर (लगभग) या 14.48 एकड़ (लगभग) माप वाली भूमि का; और

(ख) अनुसूची "ख" में वर्णित 516.52 हैक्टर (लगभग) या 1276.32 एकड़ (लगभग) माप वाली भूमि में अधिकार का अर्जन किया जाता है।

इस अधिसूचना के अन्तर्गत आने वाले क्षेत्र के रेखांक सं. एस ई सी एल/बी एस पी/जी एम (वी एल जी) / भूमि/ 180 तारीख 6 फरवरी 1997 का निरीक्षण कलक्टर सरगुजा (मध्य प्रदेश) के कार्यालय में या कोयला नियंत्रक 1 काउंसिल हाउस स्ट्रीट कलकत्ता या माउथ ईस्टर्न कोलफील्ड्स लिमिटेड (राजस्व अनुभाग) सीपत रोड बिलासपुर--490006 (मध्य प्रदेश) के कार्यालय में किया जा सकता है।

अनुसूची "क"

भास्करपारा ब्लाक

झिलमिली कोलफील्ड्स

बैकुंठपुर क्षेत्र

जिला सरगुजा (मध्य प्रदेश)

सभी अधिकार

क्रम सं.	ग्राम का नाम	पटवारी हल्का सं.	तहसील	जिला क्षेत्र	टिप्पणियाँ
				हैक्टर में	
1.	भास्करपारा	12	सूरजपुर	सरगुजा	5.86 भाग

कुल : 5.86 हैक्टर (लगभग) या 14.48 एकड़ (लगभग)

ग्राम भास्करपारा (भाग) में अर्जित किये गए प्लॉट संख्यांक 455, 456, 457, 458, 459, 461.

सीमा वर्णन :

क--ख--ख 1 :

रेखा ग्राम भास्करपारा में सभी अधिकारों और खनन अधिकारों के अधीन अर्जित किये जाने वाले सम्मिलित सीमा क्षेत्र पर बिन्दु "क" से आरंभ होती है और प्लॉट संख्यांक 455, 459 की पूर्वी सीमा के साथ साथ, प्लॉट संख्यांक 464 की दक्षिणी सीमा के साथ साथ, प्लॉट संख्यांक 459, 456 की पूर्वी सीमा के साथ-साथ प्लॉट संख्यांक 455 की उत्तरी और पश्चिमी सीमा के साथ-साथ चलती है और बिन्दु "क" पर मिलती है।

ख 1 —क :

रेखा भागतः प्लॉट संख्यांक 455 की पश्चिमी सीमा के साथ-साथ फिर प्लॉट संख्यांक 455 की दक्षिणी सीमा के साथ-साथ चलती है और आरंभिक बिन्दु क पर मिलती है।

अनुसूची "ख"

बस्करपारा ब्लॉक

शिलमिली कोलफील्ड्स

बैकुंठपुर क्षेत्र

जिला सरगुजा (मध्य प्रदेश)

खनन अधिकार

राजस्व भूमि

क्रम सं.	ग्राम का नाम	पटवारी हल्का सं.	तहसील	जिला	क्षेत्र हैक्टर में	टिप्पणियां
1.	बडसरा	12	सुरजपुर	सरगुजा	15.48	भाग
2.	भास्करपारा	12	सुरजपुर	सरगुजा	322.51	भाग
3.	खांडापारा	12	सुरजपुर	सरगुजा	45.10	भाग
4.	धनौली खुर्द	17	सुरजपुर	सरगुजा	22.00	भाग
5.	केवरा	17	सुरजपुर	सरगुजा	8.50	भाग
6.	कुरीडीह	16	सुरजपुर	सरगुजा	40.61	भाग

कुल : 454.20 हैक्टर

वन भूमि

क्रम सं.	वन कम्पार्टमेंट	रैंज	प्रभाग	क्षेत्र हैक्टर में	टिप्पणियां
1.	धरसेंड़ी ब्लॉक	सुरजपुर	दक्षिण सरगुजा	62.32	भाग

कुल : 62.32 हैक्टर

कुल योग 516.52 हैक्टर (लगभग)

या

1276.32 एकड़ (लगभग)

1. बडसरा (भाग), ग्राम में अर्जित किए गए प्लॉट सं. :—60 (भाग), 66, 67 (भाग), 69 (भाग), 70 (भाग) 71 से 76, 77 (भाग), 78 से 81, 82 (भाग), 142 (भाग), 143 (भाग), 144 (भाग), 1768 (भाग) 1769 (भाग),

2. बस्करपारा (भाग) ग्राम में अर्जित किए गए प्लॉट सं. :—1 से 164, 165 (भाग), 166 (भाग), 167 से 202, 203 (भाग), 204 से 275, 276 (भाग), 277, 278 (भाग), 279, 280, 281, 282 (भाग), 290 (भाग), 291 (भाग), 292, 293, 294 (भाग), 295 (भाग), 296 (भाग), 300 (भाग), 301, 302 (भाग), 303, 304, 305 (भाग), 306, 307 (भाग), 308 से 314, 315 (भाग) 316, 317 (भाग), 318 (भाग), 319 (भाग), 396 (भाग), 398 (भाग), 399 (भाग), 419 (भाग), 420 (भाग), 421 (भाग), 422 (भाग), 423 से 427, 428 (भाग), 429 (भाग), 430 (भाग), 431 से 433, 434 (भाग), 435 (भाग), 436 से 440, 441 (भाग), 442 से 453, 454 (भाग), 460 से 463, 465 से 477, 478 (भाग), 483 (भाग), 484 से 490, 493 (भाग), 496 (भाग), 497, 499, 500, 501, 561 (भाग), 92/671.

3. खांडापारा (भाग) ग्राम में अर्जित किए गए प्लॉट सं. :—79 (भाग), 102 (भाग), 103 (भाग), 104 (भाग), 105 (भाग), 109 (भाग), 110 (भाग), 111 (भाग), 120 (भाग), 121 (भाग), 122, 123 (भाग), 125 (भाग), 126 (भाग), 129 (भाग), 154 (भाग), 155 (भाग), 156 (भाग), 158 (भाग), 678 (भाग), 679 (भाग), 681 (भाग), 682 (भाग), 683, 684, 685, 686 (भाग), 687, 688, 689, (भाग), 691 (भाग), 692, 686/695 (भाग)।

4. धनौलीखुर्द (भाग) ग्राम में अर्जित किए गए प्लॉट सं. :—653/1 (भाग), 718 (भाग)।

5. केवरा (भाग) ग्राम में अर्जित किए गए प्लॉट सं. :—1058 (भाग)

6. कुरींड़ीह (भाग) ग्राम में अर्जित किए गए प्लॉट सं. :—1 से 20, 21 (भाग), 26 (भाग), 27 से 34, 35 (भाग), 36 से 50, 51 (भाग), 52 से 83, 84 (भाग), 85 से 89, 90 (भाग), 91 से 102, 103 (भाग), 104 (भाग), 105 (भाग), 131 (भाग), 132 (भाग), 133 से 141, 142 (भाग), 143 (भाग), 204 (भाग), 210 (भाग), 211, 212 (भाग)।

7. धरसेंडी ब्लॉक में अर्जित किए गए प्लॉट सं. :—1212 (भाग), 1213 (भाग), 1299 (भाग)।

सीमा वर्णन :

क—ख—ख—1 :

रेखा ग्राम भास्करपारा में बिन्दु “क” से प्रारंभ होती है और सभी अधिकारों और खनन अधिकारों के अधीन अर्जित सम्मिलित सीमा क्षेत्र के साथ-साथ जाती है और बिन्दु “ख” पर मिलती है।

ख—ग—घ :

रेखा ग्राम भास्करपारा में प्लॉट सं. 454, 203, 419, 420, 421, 422, 428, 429, 430, 399, 398, 334, 435, 396, 441, 315, 319, 318, 317, 307, 305, 302, 300, 296, 294, 295, 291, 290, 278, 282, 276, 561 से होकर जाती है और फिर ग्राम बडासरा में भागे बढ़ती है और प्लॉट सं. 77, 144, 143, 142 से होकर जाती है और बिन्दु “घ” पर मिलती है।

घ—ङ :

रेखा ग्राम बडासरा में प्लॉट सं. 142, 82, 70, 69, 67, 60, 1768—1769 से होकर जाती है और फिर धरसेंडी ब्लॉक में प्लॉट सं. 1299, 1212 से प्रवेश करती है और बिन्दु “ङ” पर मिलती है।

ङ—च—च—1 :

रेखा धरसेंडी ब्लॉक में प्लॉट सं. 1212, 1213 से होकर जाती है।

च—2—च—3 :

फिर ग्राम खांडापारा में प्लॉट सं. 79, 104, 103, 102, 105, 109, 110, 111, 121, 120, 121, 120, 123, 125, 126, 129, 154, 155, 156, 158, 682, 681, 686, 686/695, 679, 678, 689, 691 से प्रवेश करती है और ग्राम खांडापारा और धनौली खुर्द की सम्मिलित सीमा पर बिन्दु “छ” पर मिलती है।

छ—ज—ज—झ :

रेखा ग्राम धनौली खुर्द में प्लॉट सं. 718/653/1 जाती है, फिर ग्राम केवरा में प्लॉट सं. 1058 से प्रवेश करती है और ग्राम केवरा—कुरींड़ीह की सम्मिलित सीमा पर बिन्दु “झ” पर मिलती है।

झ—ञ—ञ—1 :

रेखा ग्राम कुरींड़ीह में प्लॉट सं. 21, 26, 35, 51, 105, 104, 103, 131, 132, 142, 143, 90, 84, 209, 212 से गुजरती है और बिन्दु “ञ” पर मिलती है।

टा—ट—ड—ड—क :

रेखा ग्राम भास्करपारा में प्लॉट सं. 165, 166, से, प्लॉट सं. 177 की दक्षिणी सीमा से, प्लॉट सं. 478, 483, से प्लॉट सं. 483, 486, 487, 490 की दक्षिणी सीमा से, फिर प्लॉट सं. 493, 496 से, फिर प्लॉट सं. 497, 499, 501 की दक्षिणी सीमा से गुजरती है और आरंभिक बिन्दु “क” पर मिलती है।

New Delhi, the 21st August, 1998

S.O.1748.—Whereas by the notification of the Government of India in the Ministry of Coal No. S.O. 2578 dated 21st August, 1996 published in the Gazette of India dated 7th September, 1996 under Sub-section (1) of Section 7 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government gave notice of its intention to acquire the lands in the locality specified in the Schedule annexed to that notification;

And whereas the competent authority in pursuance of Section 8 of the said Act has made his report to the Central Government;

And whereas the Central Government, after considering the report aforesaid and after consulting the Government of Madhya Pradesh is satisfied that;

- (a) the lands measuring 5.85 hectares (approximately) or 14.48 acres (approximately) as described in the Scheduled 'A' appended hereto and
- (b) the rights in the lands measuring 516.52 hectares (approximately) or 1276.32 acres (approximately) described in the Schedule 'B' appended hereto should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 9 of the said Act, the Central Government hereby declares that:—

- (a) the lands measuring 5.86 hectares (approximately) or 14.48 acres (approximately) as described in the Schedule 'A' and
- (b) the rights in the lands measuring 516.52 hectares (approximately) or 1276.32 acres (approximately) as described in the Schedule 'B' are hereby acquired.

The plan bearing No. : SECL/BSP/GM(PLG)/LAND/180 dated 6th February, 1997 of the area covered by this notification may be inspected in the Office of the Collector, Surguja (Madhya Pradesh) or in the Office of the Coal Controller, 1, Council House Street, Calcutta or in the Office of the South Eastern Coalfields Limited (Revenue Section), Seepat Road, Bilaspur-49006 (Madhya Pradesh).

SCHEDULE 'A'

BASHKARPARA BLOCK

JHILMILI COALFIELDS

BAIKUNTHPUR AREA

DISTRICT—SURGUJA (MADHYA PRADESH)

ALL RIGHTS

Serial number	Name of Village	Patwari Halka number	Tahsil	District	Area in hectare	Remarks
1.	Bashkarpara	12	Surajpur	Surguja	5.86	Part

TOTAL : 5.86 hectares (approximately) OR 10.48 acres (approximately)

Plot Numbers acquired in Village Bashkarpara (Part) 455, 456, 457, 458, 459, 464.

BOUNDARY DESCRIPTION

- A—B—B1↓ Line starts from point 'A' on the common boundary of All Rights and Mining Rights in village Bashkarpara and passes along the Eastern boundary of plot numbers 455, 459, Southern boundary of plot number 464, Eastern boundary of plot numbers 457, 456, Northern & Western boundary of plot number 455 and meets at point B1.
- B1—A Line passes partly along the Western boundary of plot number 455, then Southern boundary of plot number 455 and meets at the starting point at 'A'.

SCHEDULE—'B'
BASHKARPARA BLOCK
JHILMILI COALFIELDS
BAIKUNTHPUR AREA
DISTRICT—SURGUJA (MADHYA PRADESH)

MINING RIGHTS
REVENUE LAND

Serial Number	Name of Village	Patwari Halka Number	Tahsil	District	Area in hectares	Remarks
1.	Badsara	12	Surajpur	Surguja	15.48	Part
2.	Bashkarpara	12	Surajpur	Surguja	322.51	Part
3.	Khandapara	12	Surajpur	Surguja	45.10	Part
4.	Dhanellikhurd	17	Surajpur	Surguja	22.00	Part
5.	Kewra	17	Surajpur	Surguja	8.50	Part
6.	Kurridih	16	Surajpur	Surguja	40.61	Part

TOTAL :- 454.20 hectares.

FOREST LAND

Serial Number	Forest Compartment	Range	Division	Area in Hectare	Remarks
1.	Dharsendi Block	Surajpur	South Surguja	62.32	Part

TOTAL : 62.32 hectares

GRAND TOTAL : 516.52 hectares (approximately) OR
1276.32 Acres (approximately)

Plot numbers acquired in village—Badsara (Part)

1. 60 (Part), 66, 67 (Part), 69 (Part), 70 (Part), 71 to 76, 77 (Part), 78 to 81, 82 (Part), 142(Part), 143 (Part), 144 (Part), 1768 (Part), 1769 (Part).

2. Plot numbers acquired in village Bashkarpara (Part).—1 to 164, 165 (Part), 166 (Part), 167 to 202, 203 (Part), 204 to 275, 276 (Part), 277, 278 (Part), 279, 280, 281, 282 (Part), 290 (Part), 291(Part), 292, 293, 294, (Part) 295 (Part), 296 (Part), 300 (Part), 301, 302 (Part), 303, 304, 305 (Part), 306, 307 (Part), 308 to 314, 315 (Part) 316, 317 (Part), 318 (Part), 319 (Part), 396 (Part), 398 (Part), 399 (Part), 419 (Part), 420 (Part), 421 (Part), 422 (Part), 423 to 427, 428 (Part), 429 (Part), 430 (Part), 431 to 433, 434 (Part), 435 (Part), 436 to 440, 441 (Part), 442 to 453 454 (Part), 460 to 463, 465 to 477, 478 (Part), 483 (Part), 484 to 490, 493 (Part), 496 (Part), 497, 499, 500, 501, 561 (Part), 92/671,

3. Plot numbers acquired in village—Khandapara (Part); 79 (Part), 102 (Part), 104 (Part), 104(Part), 105 (Part), 109 Part), 110 /Part), 111 (Part), 120 (Part), 121 (Part), 122, 123 (Part), 125 (Part), 126 (Part), 129 (Part), 154 (Part), 155 (Part), 156 (Part), 158 (Part), 678 (Part), 679 (Part), 681 (Part), 682 (Part), 683, 684, 685, 686 (Part), 687, 688, 689 (Part), 691 (Part), 692, 686/695 (Part).

4. Plot numbers acquired in village-Dhanellikhurd (Part); 653/1 (Part), 718 (Part).

5. Plot numbers acquired in village-Kewra (Part); 1058 (Part).

6. Plot numbers acquired in village-Kurridih (Part); to 20, 21 (Part), 26 (Part), 26 to 34,

35 (Part), 36 to 50, 51 (Part), 5x to 83, 84 (Part), 85 to 89, 90 (Part), 91 to 102, 1033 (Part), 104 104 (Part), 105 (Part), 131 (Part), 132 (Part), 133 to 141, 142 (Part), 143 (Part), 109 (Part), 210 (Part), 211, 212 (Part).

7. Plot numbers acquired in Dharsendi block :

1212 (Part), 1213 (Part), 1299 (Part)

Boundary Description :

- A—B—B1 Line starts from point 'A' in village Bashkarpara and passes along the common boundary area acquired under all rights and mining rights and meets at point 'B1'.
- B1—C—D Line passes through village Bashkarpara through plot numbers 454, 203, 419, 420, 421, 422, 428, 429, 430, 399, 398, 434, 435, 396, 441, 315, 319, 318, 317, 307, 305, 302, 300, 296, 294, 295, 291, 290, 278, 282, 276, 561 and then proceeds in village Badsara and passes through plot numbers 77, 144, 143, 142 and meets at point 'D'.
- D—E Line passes in village Badsara through plot numbers, 142, 82, 70, 69, 67, 60, 1768, 1769 then enter in Dharsendi block through plot numbers 1299, 1212 and meets at point 'E'.
- E—F—F1—F2—F3—G Line passes through Dharsendi block through plot numbers 1212, 1213 then enter in Khandapara village through plot numbers 79, 104, 103, 102, 105, 109, 110, 111, 121, 120, 121, 120, 123, 125, 126, 129, 154, 155, 156, 158, 682, 681, 686, 686/695, 679, 678, 689, 691 and meets on the common boundaries of villages Khandapara—Dhanellikurd at point 'G'.
- G—H—H1—I. Line passes through village Dhanellikurd through plot numbers 718, 653/1, then enter in village Kewra through plot number 1058 and meets on the common boundaries of village Kewra—Kurridih at point 'I'.
- I—J—J1 Line passes through village Kurridih through plot numbers 21, 26, 35, 51, 105, 104, 103, 131, 132, 142, 143, 90, 84, 209, 210, 212 and meets at point 'J1'.
- J1—K—L—M—A Line passes through village Bhashkarpara through plot numbers 165, 166, Southern boundary of plot number 171, through plot number 478, 483, Southern boundary of plot numbers 483, 486, 487, 490, then through plot numbers 493, 496, then Southern boundary of plot numbers 497, 499, 501 and meets at starting point 'A'.

[No. 43015/14/95-LSW/PRIW]
PREMANAND DAS, Director

स्वास्थ्य और परिवार कल्याण मंत्रालय

(स्वास्थ्य विभाग)

नई दिल्ली, 18 अगस्त, 1998

का०आ० 1749.—भारतीय आयुर्विज्ञान परिषद अधिनियम 1956 (1956 का 102) की धारा 3 की उप-धारा (1) के खण्ड (क) का अनुसरण करते हुए और जम्मू व काश्मीर सरकार से परामर्श करके केन्द्रीय सरकार ने डा० मेहराज उददीन, निदेशक शोरे-काश्मीर आयुर्विज्ञान संस्थान, श्रीनगर का इस अधिसूचना के जारी होने की तिथि से भारतीय आयुर्विज्ञान परिषद का सदस्य के रूप में मनोनयन किया है ;

अतः उक्त अधिनियम की धारा 3 की उप-धारा (1) के उपबंधों के अनुसरण में केन्द्रीय सरकार तत्कालीन स्वास्थ्य मंत्रालय के दिनांक 9 जनवरी, 1960 के का.आ. सं. 138

में भारत सरकार की अधिसूचना में अब एतद्वारा निम्नलिखित और संशोधन करती है, अर्थात् :—

उक्त अधिसूचना में, धारा 3 की उप-धारा (1) के खण्ड (क) के अंतर्गत नामित “श्रीपंक के नीचे क्रम संख्या 15 एवं उससे संबंधित प्रविष्टियों के स्थान पर निम्नलिखित क्रम संख्या और प्रविष्टियां रखी जाएंगी, अर्थात् :—

“15. डा. मेहराज उददीन निदेशक
शोरे काश्मीर आयुर्विज्ञान संस्थान,
श्रीनगर।”

[सं० बी 11013/9/98-एम ई (यू. जी०)]

एस. के. मिश्र, डेस्क अधिकारी

पाठ टिप्पणः— मूल अधिसूचना दिनांक 9-1-60 के का.आ. सं० 138 के तहत प्रकाशित की गई थी।

MINISTRY OF HEALTH AND FAMILY WELFARE

(Department of Health)

New Delhi, the 18th August, 1998

S.O. 1749.—Whereas the Central Government in pursuance of clause (a) of sub-section (1) of section 3 of the Indian Medical Council Act, 1956 (102 of 1956) and in consultation with the Government of J & K have nominated Dr. Mehraj Uddin, Director, Sher-I-Kashmir Institute of Medical Sciences, Srinagar to be a member of Medical Council of India with effect from issue of this notification;

Now, therefore, in pursuance of provisions of sub-section (1) of section 3 of the said Act, the Central Government hereby makes the following further amendments in the notification of the Government of India in the then Ministry of Health number S.O. 138, dated the 9th January, 1960, namely :—

In the said notification, under the heading "nominated under clause (a) of sub-section (1) of section 3 for serial number 15 and the entries relating thereto, the following serial number and entries shall be substituted, namely :

"15. Dr. Mehraj Uddin,
Director,
Sher-I-Kashmir Institute of Medical Sciences,
Srinagar."

[No. V. 11013/9/98-ME(UG)]

S. K. MISHRA, Desk Officer

Foot Note :—The principal notification was published vide S.O. No. 138, dated 9-1-1960.

शहरी कार्य और रोजगार मंत्रालय

(शहरी विकास विभाग)

(दिल्ली प्रभाग)

नई दिल्ली, 21 अगस्त, 1998

का०आ० 1750.—यतः निम्नांकित क्षेत्रों के बारे में कुछ संशोधन, जिन्हें केन्द्रीय सरकार इसके नीचे दिए क्षेत्रों के बारे में दिल्ली बृहद् योजना/क्षेत्रीय विकास योजना में प्रस्तावित करती है तथा जो दिल्ली विकास अधिनियम, 1957 (1957 का 61) की धारा 44 के प्रावधानों के अनुसार दिनांक 6-9-97 के नोटिस संख्या एफ 20(15)/95-एम पी द्वारा प्रकाशित किए गए थे जिसमें उक्त अधिनियम की धारा 11-ए की उप-धारा (3) में अपेक्षित आपत्तियों/सुझाव, उक्त नोटिस की तारीख के 30 दिन की अवधि में आमंत्रित किए गए थे।

2. यतः प्रस्तावित संशोधनों के बारे में एक आपत्ति प्राप्त हुई थी और यतः केन्द्र सरकार ने मामले के सभी पक्षों पर ध्यान-पूर्वक विचार करने के बाद बृहद् योजना में संशोधन करने का निर्णय किया है।

3. यतः अब केन्द्र सरकार उक्त अधिनियम की धारा 11-ए की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारत के राजपत्र में इस अधिसूचना के प्रकाशन की तारीख से दिल्ली की उक्त बृहद् योजना में एतद्वारा निम्नलिखित संशोधन करती है :—

संशोधन :

1. पृष्ठ 138 (बायीं ओर) पर शीर्षक "अवस्थापना—सामाजिक", उप शीर्षक "स्वास्थ्य" के अन्तर्गत पैरा के बाद निम्नलिखित जोड़ा जाए :—

(1) मद सं० (ग) मध्यम दर्जे के अस्पताल (श्रेणी बी) के बाद निम्नलिखित जोड़ा जाए; (घ) पालतू पशुओं व पक्षियों के लिए अस्पताल; 5 लाख से अधिक आबादी के लिए जिला स्तर पर दो अस्पताल जिसमें सर्जन लैब, कार्यालय आपरेशन थिएटर, जांच कक्ष, एक्स-रे कक्ष, वार्ड, स्वागत कक्ष, किचन, स्टोर इत्यादि सुविधाएँ हों; क्षेत्र 0.20 हेक्टेयर

(2) मद सं० (घ) (ङ) तथा (च) के स्थान पर (ङ), (च) तथा (छ) जोड़ी जायें।

(3) मद सं० (छ) "डिस्पेंसरी" के बाद निम्नलिखित जोड़ा जाए :

"(ज) पालतू पशुओं तथा पक्षियों के लिए डिस्पेंसरी ;

लगभग एक लाख तक की आबादी के लिए सामुदायिक स्तर पर एक डिस्पेंसरी जिसमें निम्नलिखित सुविधाएँ हों :—

सर्जन लैब, कार्यालय, आपरेशन थिएटर, जांच कक्षा वार्ड, स्वागत कक्ष, स्टोर, किचन आदि।

क्षेत्र

0.05 हेक्टेयर

2. पृष्ठ 145 पर तालिका में मद सं० (4) "समुदाय" के अंतर्गत उप मद सं० (2) "मध्यम स्तर के अस्पताल "बी" के बाद निम्नलिखित जोड़ा जाए :

(1) पालतू पशुओं और पक्षियों 1 500 500 0 0 के लिए 3 डिस्पेंसरियां

(2) तालिका में उप मद सं० (3) से (23) तक के स्थान पर मद सं० (4) से (24) तक जोड़ी जाए।

(3) क्षेत्र 39.73 हेक्टेयर के स्थान पर "क्षेत्र -41.37 हेक्टेयर" जोड़ा जाए।

(4) मद सं० (5) "जिला" के अंतर्गत उप मद सं० (1) ग्राम अस्पताल के बाद निम्नलिखित जोड़ा जाए;

पालतू पशुओं और पक्षियों 2 2000 4000
के लिए 2 अस्पताल

(5) तालिका में उप मद सं० (2) से (11) के स्थान पर मद सं० (3) से (12) जोड़ी जाए।

(6) आंकड़ों के नीचे निम्नलिखित क्षेत्र -68.28 हक्टेयर जोड़ा जाए :

3. (1) पृष्ठ 163 पर (दायीं ओर) शीर्षक "अस्पताल (072)" के स्थान पर "अस्पताल (072) (क) जोड़ा जाए।

(2) अस्पताल (072) (क), अन्य नियंत्रणों के बाद निम्नलिखित श्रेणी जोड़ा जाए :

"अस्पताल (072) (बी)

पालतू पशुओं तथा पक्षियों के लिए

प्लॉट का अधिकतम आकार	2000 वर्ग मीटर
अधिकतम ग्राउंड कवरेज	25 प्रतिशत
अधिकतम फर्शी क्षेत्र अनुपात	50
बेसमेंट केवल सेवाओं के लिए	

(3) उप-शीर्षक "नर्सिंग होम" के बाद निम्नलिखित श्रेणी जोड़ा जाए :

"डिस्पेंसरी (075) (बी) पालतू पशुओं और पक्षियों के लिए

प्लॉट का अधिकतम आकार	500 वर्गमीटर
अधिकतम ग्राउंड कवरेज	25 प्रतिशत
अधिकतम फर्शी क्षेत्र अनुपात	50
बेसमेंट केवल सेवाओं के लिए	

4. (1) पृष्ठ 172 पर (दायीं ओर) "072 अस्पताल" के स्थान पर "072 (क) अस्पताल" जोड़ा जाए।

(2) पैरा 072 (क) अस्पताल के बाद निम्नलिखित जोड़ा जाए।

सार्वजनिक / निजी अथवा धर्मार्थ संस्थान द्वारा संचालित आम अथवा विशेष चिकित्सा सुविधाएं उपलब्ध करने वाला परिसर जिसमें अन्तरंग तथा बाहरी दोनों चिकित्सा सुविधाएं हों।

(3) शीर्षक "075 डिस्पेंसरी" के बाद निम्नलिखित जोड़ा जाए :

"75 (बी) पालतू पशुओं तथा पक्षियों के लिए डिस्पेंसरी, सार्वजनिक/निजी अथवा धर्मार्थ संस्थान द्वारा संचालित डाक्टर परामर्श तथा दवाइयां उपलब्ध कराने वाला परिसर।

[सं० के-13011/38/95-डी.डी. I बी.]
घी. के. मिश्रा, डेस्क अधिकारी

MINISTRY OF URBAN AFFAIRS AND EMPLOYMENT

(Department of Urban Development)

(Delhi Division)

New Delhi the 21st August, 1998

S.O. 1750.—Whereas, certain modifications which the Central Government proposes to make in the Master Plan for Delhi/Zonal Development Plan regarding the area mentioned hereunder were published vide notice No. F.20(15)/95-MP dated 6-9-1997 in accordance with the provisions of Section 44 of the Delhi Development Act, 1967 (61 of 1957) inviting objections/suggestions as required by sub-section (3) of Section 11A of the said Act, within thirty days from the date of the said notice.

2. Whereas, one objection was received with regard to the said modification and whereas the Central Govt. have after carefully considering all aspects of the matter, decided to modify the Master Plan.

3. Now, therefore, in exercise of the powers conferred by sub-section (2) of Section 11A of the said Act, the Central Government hereby makes the following modification in the said Master Plan for Delhi with effect from the date of publication of this Notification in the Gazette of India.

MODIFICATIONS :

1. On page 138 (left hand side) under the heading 'INFRASTRUCTURE-SOCIAL', Sub-Heading 'Health', after the para, following is added;

(i) The following is added after item(c) Intermediate Hospital (Category-B); (d) Hospital for pet animals and birds; 2 hospitals at District level to serve about 5 lakh population with following facilities; Surgeon's labs, office, Operation Theatre, examination room X-ray room, wards, reception kitchen, store etc.,

Area 0.20 ha.

(ii) The item nos. (d), (e) and (f) are substituted by (e), (f) and (g).

(iii) After item no. (g) 'Dispensary' the following is added :

"(h) Dispensary for pet animals and birds; 1 Dispensary at Community level to serve about 1 lakh population with the following facilities-Surgeon's lab, office, operation Theatre, examination room, wards, reception, store, kitchen, etc.

2. On page 145 in the table, under item no. (4) 'Community' the following is added after the sub-item No. (2) 'Intermediate Hospital' 'B'.

- (i) 3 Dispensaries for per 1 500 500 0 0 animals and birds.
 - (ii) The sub-item nos. (3) to (23) in the table be substituted by item nos. (4) to (24).
 - (iii) Area 39.73 ha is substituted as "area—41.37 ha".
 - (iv) Under the item no. (5) 'District' the following is added after the sub item no. (1) General Hospital:
2. Hospitals for pet 2 2000 4000 0 animals and birds.
- (v) The sub item nos. (2) to (11) in the table are substituted by item nos. (3) to (12).
 - (vi) below the figure the following —Area—68.28 ha is added :

3. (i) On page 163 (RHS) the heading 'Hospital (072)' is substituted as 'Hospital (072) (a)'.

(ii) After the Hospital (072) (a), other controls, the following category is added.

"HOSPITALS (072) (b)
For pet animals and birds
Maximum plot size 2000 sq. m.
Maximum ground coverage 25 percent
Maximum floor area ratio 50
Basement only for services.

(iii) After sub heading 'Nursing Home', the following category is added :

"DISPENSARY (075) (b) for pet animals and birds
Maximum plot size 500 sq. m.
Maximum ground coverage 25 per cent
Maximum floor area ratio 50
Basement only for services.

4. (i) On page 172 (RHS), '072 Hospital' is substituted as '072 (a) Hospital'.

(ii) The following is added after the para '072 (a) Hospital Premises providing medical facilities of general or specialised nature with indoor and outdoor treatment facilities, managed by public/private or charitable institution

(iii) After the heading '075 Dispensary' the following is added :

"075 (b) Dispensary for pet animals and birds, Premises having facilities for

medical advice and provision of medicines, managed by public/private or charitable institution.

[No. K-13011/38/95-DDIB]
V. K. MISRA, Desk Officer

MINISTRY OF CIVIL AVIATION CORRIGENDUM

New Delhi, the 17th August, 1998

S.O. 1751.—In the notification published in the Gazette of India vide S.O. No. 242, dated 20-01-98, in the English version, the following corrections may be made :—

- (i) In clause (i), sub-clause (B), read 3,75,000 for 3 (75,000).
- (ii) In clause (ii), sub-clause (B), read Rs. 1,50,000 or 1,50,000.

[No. AV. 11012/97-A]
V. J. MENON, Under Secy.

रेल मंत्रालय

(रेलवे बोर्ड)

नई दिल्ली, 24 जुलाई, 1998

का०आ० 1752.—राजभाषा नियम, 1976 (संघ के शासकीय प्रयोजनों के लिए प्रयोग) के नियम 10 के उप नियम (2) और (4) के अनुसरण में रेल मंत्रालय (रेलवे बोर्ड) दक्षिण-पूर्व रेल, दक्षिण-मध्य रेल, मध्य रेल, उत्तर रेल, रेल डिब्बा कारखाना, कपूरथला, पूर्वोत्तर सीमा रेल एवं महानगर परिवहन परियोजना (रेलवे) मुंबई के निम्नलिखित कार्यालयों को जहाँ कर्मचारियों ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करता है :—

दक्षिण-पूर्व रेल

1. वरिष्ठ सेक्शन इंजीनियर (निर्माण) कार्यालय, नैनपुर
 2. क्षेत्रीय प्रशिक्षण केन्द्र, सीनो
 3. सहायक अभियंता-II कार्यालय, टाटानगर
- दक्षिण-मध्य रेल
4. रेलवे स्टेशन, परली बैजनाथ

5. वरिष्ठ सेक्शन इंजीनियर कार्यालय, रेलपथ, परली बैजनाथ
- मध्य रेल (नागपुर) मंडल

6. रेलवे स्टेशन, टिमटिमाला
- सोलापुर मंडल

7. वरिष्ठ मंडल इंजीनियर कार्यालय, सोलापुर

8. रेलवे स्टेशन, सातूर
- उत्तर रेल

9. सहायक अभियंता कार्यालय, बीकानेर
10. खंड अभियंता कार्यालय, बीकानेर
11. वरिष्ठ खंड अभियंता (पावर) कार्यालय, बीकानेर
12. वरिष्ठ खंड अभियंता (पम्प) कार्यालय, बीकानेर
13. वरिष्ठ मंडल चिकित्सा अधिकारी कार्यालय, बीकानेर
14. रेलवे स्टेसन, लालगढ़
15. मुख्य चिकित्सा अधीक्षक कार्यालय, बीकानेर
16. वरिष्ठ खंड अभियंता (निर्माण) कार्यालय, बीकानेर
17. वरिष्ठ खंड अभियंता (रेलपथ) कार्यालय, लालगढ़
18. वरिष्ठ खंड अभियंता (लोको) कार्यालय, लालगढ़
19. वरिष्ठ खंड अभियंता (पावर) कार्यालय, लालगढ़
20. रेलवे स्टेशन सूरतगढ़
21. सहायक अभियंता कार्यालय, सूरतगढ़
22. वरिष्ठ खंड अभियंता (निर्माण) कार्यालय, सूरतगढ़
23. वरिष्ठ खंड अभियंता (रेलपथ) कार्यालय, सूरतगढ़
24. वरिष्ठ मंडल चिकित्सा अधिकारी कार्यालय, सूरतगढ़
25. वरिष्ठ खंड अभियंता (निर्माण) कार्यालय, श्रीगंगानगर
26. वरिष्ठ खंड अभियंता (रेलपथ) कार्यालय, श्रीगंगानगर
27. वरिष्ठ खंड अभियंता (के० व वैगन) कार्यालय, श्रीगंगानगर
28. रेलवे स्टेशन, सिरसा
29. सहायक अभियंता कार्यालय, सिरसा
30. वरिष्ठ खंड अभियंता (निर्माण) कार्यालय, सिरसा
31. वरिष्ठ खंड अभियंता (रेलपथ) कार्यालय, सिरसा
32. वरिष्ठ मंडल चिकित्सा अधिकारी कार्यालय, हिसार
33. वरिष्ठ खंड अभियंता (निर्माण) कार्यालय, हिसार
34. रेल डिब्बा कारखाना, कपूरथला पब्लिक-सीमा रेल
35. मंडल चिकित्सा अधिकारी कार्यालय, माल

36. सहायक यांत्रिक इंजीनियर कार्यालय, न्यूबर्गाई-गांव
37. मंडल चिकित्सा अधिकारी कार्यालय, नार्थ, लखीम्पुर
38. रेलवे स्टेशन, निजबरगं
39. रेलवे स्टेशन, तेलम
40. रेलवे स्टेशन, हेलम
41. रेलवे स्टेशन, माजबात
42. क्षेत्र प्रबंधक कार्यालय, न्यूबर्गाई गांव
43. महानगर परिवहन परियोजना (रेलवे), मुबम्ई

[सं० हिन्दी-97/रा०भा० 1/12/1]

डी० पी० त्रिपाठी, सचिव, रेलवे बोर्ड एवं पदेन अपर सचिव

MINISTRY OF RAILWAYS
(Railway Board)

New Delhi, the 24th July, 1998

S.O. 1752 In pursuance of Sub-Rules (2) and (4) of Rule 10 of the Official Language (Use for the Official purposes of the Union) Rules, 1976, the Ministry of Railways (Railway Board) hereby notify the following offices of S.E. Railway, S.C. Railway, Central Railway, Northern Railway, Rail Coach Factory, Kapurthala, N.F. Railway and Metro Politan Transport Project-Munibai where the staff have acquired the working knowledge of Hindi :—

South-Eastern Railway

1. Office of the Senior Section Engineer (Works) Office, Nenpur.
2. Zonal Training Center|Sini.
3. Office of the Assistant Engineer|Tata Nagar. South-Central Railway.
4. Railway Station, Parli Vaijnath.
5. Office of the Senior Section Engineer Track|Parli|Vaijnath.

Central Railway

Nagpur Division

6. Railway Station, Timtimala.

Sholapur Division

7. Office of the Senior Divisional Engineer, Sholapur.
8. Railway Station, Latat.

NORTHERN RAILWAY

9. Office of the Assistant Engineer|Bikaner.
10. Office of the Section Engineer|Bikaner.
11. Office of the Senior Section Engineer|Power, Bikaner.
12. Office of the Senior Section Engineer|Pump, Bikaner.
13. Office of the Senior Divisional Medical Officer, Bikaner.
14. Railway Station, Lalgarb.

15. Office of the Chief Medical Officer, Bikaner.
16. Office of the Senior Section Engineer (Works), Bikaner.
17. Office of the Senior Section Engineer|Track, Lalgarh.
18. Office of the Senior Section Engineer|Loco Lalgarh.
19. Office of the Senior Section Engineer|Power, Lalgarh.
20. Railway Station, Suratgarh.
21. Office of the Assistant Engineer, Suratgarh.
22. Office of the Senior Section Engineer|Works, Suratgarh.
23. Office of the Senior Section Engineer|Track, Suratgarh.
24. Office of the Senior Divisional Medical Officer, Suratgarh.
25. Office of the Senior Section Engineer|Works| Sri Ganga Nagar.
26. Office of the Senior Section Engineer|Track| Sri Ganga Nagar.
27. Office of the Senior Section Engineer|C&W, Sri Ganga Nagar.
28. Railway Station|Sirsa.
29. Office of the Assistant Engineer|Sirsa.
- * 30. Office of the Senior Section Engineer|Works| Sirsa.

31. Office of the Senior Section Engineer|Track, Sirsa.
32. Office of the Senior Divisional Medical Officer|Hisar.
33. Office of the Senior Section Engineer|Works| Hisar.
34. Rail Coach Factory, Kapurthala.

N.F. RAILWAY

35. Office of the Divisional Medical Officer|Mal.
36. Office of the Assistant Mechanical Engineer| New Bongaigaon.
37. Office of the Divisional Medical Officer| North|Lakhimpur
38. Railway Station|Nijbergang.
39. Railway Station|Telam.
40. Railway Station|Helam.
41. Railway Station|Majbatt.
42. Office of the Area Manager, New Bongaigaon.
43. Metropolitan Transport Project (Railway) Mumbai.

[No. HINDI-97/OL-1|12|1]

D. P. TRIPATHI, Secy. Railway Board and
Ex. Officio Addl. Secy.

पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 28 अगस्त, 1998

कां०मां० 1753.—पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 के उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना कां०मां० 504 तारीख 10-2-97 द्वारा भारत सरकार ने उस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों के अधिकार को पाइपलाइन बिछाने के लिए अर्जित करने का आशय घोषित किया था।

अतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

तत्पश्चात् भारत सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए भारत सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

इस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारत सरकार निर्देश देती है कि उक्त भूमियों में अधिकार भारत सरकार में निहित होने के बजाय गैस अथॉरिटी ऑफ इंडिया लिमिटेड में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

एस०एफ०सी०एल० टैप आफ से ई०आई०डी० पैरी गैस पाइपलाइन प्रोजेक्ट

राज्य	जिला	तहसील	गांव का नाम एवं नम्बर	सर्वे नं०	एरिया		टिप्पणी
					हेक्टेयर	एकड़	
पाण्डीचेरी	पाण्डीचेरी	करायकल	18 सेलूर	79.2	0.01.0	0.02	
				79.3	0.11.0	0.27	
				51.3	0.05.5	0.14	
				52	0.13.0	0.32	
				53.5	0.00.5	0.01	
				61.2	0.18.5	0.45	

[सं. एल. 14016/07/96-जी.पी.]

आई.एस.एन. प्रसाद, उप सचिव

MINISTRY OF PETROLEUM AND NATURAL GAS

New Delhi, the 28th August, 1998

S. O. 1753.—Whereas by Notification of the Government of India in the Ministry of Petroleum S.O. 504 Dated 10-2-97 under Sub-Section (I) of Section 6 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land Act, 1962 (50 of 1962) the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline.

And whereas the Competent Authority has under Sub-Section (I) of section 6 of the said Act, submitted report to the Government.

And further whereas the Central Government has, after considering the said report, declared to acquire the right of user in the lands specified in the schedule appended to this Notification.

Now, therefore, in exercise of the power conferred by Sub-Section (I) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline.

And further in exercise of power conferred by Sub-Section (4) of the section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

SCHEDULE

S.F.C.L. TAP OFF TO E.I.D. PARRY GAS PIPELINE PROJECT

State	District	Taluk	Village No. & Name	Survey Number	Extent		Remarks
					In Hectares	In Acre Cent	
Pondicherry	Pondicherry	Karaikal	18 Sellur	79.2	0.01.0	0.02	
				79.3	0.11.0	0.27	
				51.3	0.05.5	0.14	
				52	0.13.0	0.32	
				53.5	0.00.5	0.01	
				61.2	0.18.5	0.45	

[No. L-14016/07/96-G.P.]

I.S.N. PRAASAD, Dy. Secy.

नई दिल्ली, 28 अगस्त, 1998

का०आ० 1754.—पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 के उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का०आ० 505 तारीख 10-02-97 द्वारा भारत सरकार ने उस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों के अधिकार को पाइपलाइन बिछाने के लिए अर्जित करने का आशय घोषित किया था।

अतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

तत्पश्चात् भारत सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए भारत सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

इस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारत सरकार निर्देश देती है कि उक्त भूमियों में अधिकार भारत सरकार में निहित होने की बजाय गैस अथारिटी ऑफ इंडिया लिमिटेड में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

एस०एफ०सी०एल० टैप ऑफ से बी०ओ०एस०एस० प्रोफाइट्स गैस पाइपलाइन प्रोजेक्ट

राज्य	जिला	तहसील	गांव का नाम एवं नम्बर	सर्वे नं०	एरिया		टिप्पणी
					हेक्टेयर	एकड़	
1	2	3	4	5	6	7	8
पाण्डीचेरी	पाण्डीचेरी	करायकल	20 पैटई	4.2	0.17.0	0.42	
			21 थिरुनालर	71.1	0.05.0	0.12	
				71.6	0.07.5	0.18	
				64.1	0.04.5	0.11	
				64.2	0.10.5	0.26	
				59.1	0.09.0	0.22	
				59.2	0.05.5	0.13	
				59.3	0.02.5	0.06	
				57.3	0.03.0	0.08	
			16 सोराकुडी	270.6	0.11.5	0.28	
				270.7	0.06.0	0.15	
				269.7	0.04.5	0.11	
				269.10	0.09.0	0.22	
				266.1	0.17.0	0.42	
				266.2	0.09.5	0.23	
				262.1D	0.01.5	0.04	
				265.10	0.03.5	0.09	
				265.11C	0.01.0	0.02	
				265.11D	0.03.0	0.08	

[सं० एल-14016/07/96-जी०पी०]

आई० एस० एन० प्रसाद, उप सचिव

New Delhi, the 28th August, 1998

S.O. 1754.—Whereas by Notification of the Government of India in the Ministry of Petroleum S.O. 505 Dated 10-02-97 under Sub-Section (I) of Section of 6 the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline.

And whereas the Competent Authority has under Sub-Section (I) of section 6 of the said Act, submitted report the Government.

And further whereas the Central Government has, after considering the said report, declared to acquire the right of user in the lands specified in the schedule appended to this Notification.

Now, therefore, in exercise of the power conferred by Sub-section (I) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline.

And further in exercise of power conferred by Sub-section (4) of the section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

SCHEDULE

S.F.C L. TAP OFF TO BOSS PROFILES GAS PIPELINE PROJECT

State	District	Taluk	Village No. & Name	Survey Number	Extent		Remarks
					In Hectares	In Acre Cent	
1	2	3	4	5	6	7	
Pondicherry	Pondicherry	Karaikal	20-Pettai 16-Sorakudy	4.2	0.17.0	0.42	
				270.6	0.11.5	0.28	
				270.7	0.06.0	0.15	
				269.7	0.04.5	0.11	
				269.10	0.09.0	0.22	
				266.1	0.17.0	0.42	
				266.2	0.09.5	0.23	
				262.1D	0.01.5	0.04	
				265.10	0.03.5	0.09	
				265.11C	0.01.0	0.02	
				265.11D	0.03.0	0.08	
Pondicherry	Pondicherry	Karaikal	21-Thirunallar	71.1	0.05.0	0.12	
				71.6	0.07.5	0.18	
				64.1	0.04.5	0.11	
				64.2	0.10.5	0.26	
				59.1	0.09.0	0.22	
				59.2	0.05.5	0.13	
				59.3	0.02.5	0.06	
				57.3	0.03.0	0.08	

[No. L-14016/07/96-G.P.]

I. S. N. PRASAD, Dy. Secy.

नई दिल्ली, 28 अगस्त, 1998

का०आ० 1755:—पेट्रोलियम और खनिज पाइप लाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 के उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का०आ० 761 तारीख 11-3-97 द्वारा भारत सरकार ने उस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों के अधिकार को पाइप लाइन बिछाने के लिए अर्जन करने का आशय घोषित किया था।

अतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

तत्पश्चात् भारत सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग का अधिकार अर्जन करने का विनिश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए भारत सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जन किया जाता है।

इस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारत सरकार निदेश देती है कि उक्त भूमियों में अधिकार भारत सरकार में निहित होने के बजाय गैस अथॉरिटी ऑफ इंडिया लिमिटेड में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

एम आर एल पाननगुड़ी से पी पी सी एल पोलागम गैस पाइप लाइन प्रोजेक्ट

राज्य	जिला	तहसील	गांव का नाम एवं नम्बर	सर्वे नं०	क्षेत्रफल		टिप्पणी
					हेक्टेयर	एकड़	
1	3	3	4	5	6	7	8
तमिलनाडु	नागापट्टनम	नागापट्टनम	124-पाननगुड़ी	133-4	0.04.5	0.11	
				133-6	0.00.5	0.01	
				133-7	0.11.0	0.27	
				143-1ए3	0.04.0	0.10	
				143-3बी	0.01.0	0.02	
				143-6	0.07.5	0.18	
				143-9	0.17.5	0.43	
				138-1	0.03.5	0.09	
				138-3	0.10.5	0.26	
				138-4	0.09.0	0.22	
				138-5	0.08.0	0.20	
				138-6	0.04.0	0.10	
				139-2	0.00.5	0.01	
				140-3	0.00.5	0.01	
				141-1ई	0.09.0	0.22	
				141-2ए	0.04.5	0.11	
				141-2बी	0.01.5	0.04	
				258-3	0.37.0	0.92	
				259-1	0.08.5	0.21	
				296-3	0.39.0	0.96	
				206-1बी1]	0.02.5	0.06	
				206-1बी2]	0.01.5	0.04	
				206-1सी	0.04.0	0.10	
				206-1डी	0.04.0	0.10	
				204-1	0.07.0	0.17	
				204-2	0.03.0	0.08	
				204-3	0.03.0	0.08	
				203-1	0.04.0	0.10	
				203-4ए	0.05.0	0.12	
				203-4बी	0.03.0	0.08	
				201-2	0.00.5	0.01	
				201-3	0.05.5	0.13	
				202-1ए	0.00.5	0.01	
				202-1बी	0.13.0	0.32	
				200-1ए	0.17.0	0.42	
				103-1	0.15.0	0.37	
				103-4	0.01.0	0.02	
				104-4ए	0.00.5	0.01	
				104-4बी	0.14.0	0.35	
				104-5ए	0.02.0	0.05	
				107-2ए	0.08.0	0.20	
				107-4ए	0.00.5	0.01	
				107-4बी	0.02.5	0.06	

1	2	3	4	5	6	7	8
तमिलनाडु	नागापट्टनम	नागापट्टनम	124 पानंगुडी	107-5	0.05.0	0.12	
				107-6	0.02.0	0.05	
				107-11	0.06.5	0.16	
				113-1	0.16.0	0.40	
				113-2	0.01.5	0.04	
				113-5बी	0.04.0	0.10	
				113-6	0.11.0	0.27	

[सं० एस-14016/19/96-जी.पी.]

आई०एन०एस० प्रसाद, उप सचिव

New Delhi, the 28th August, 1998

S.O.1755.— Whereas by Notification of the Government of India in the Ministry of Petroleum S.O. 760 Dated 11-3-97 under Sub-Section (1) of Section 6 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline.

And whereas the Competent Authority has under Sub-Section (I) of Section 6 of the said Act, submitted report to the Government.

And further whereas the Central Government has, after considering the said report, declared to acquire the right of user in the lands specified in the schedule appended to this Notification.

Now, Therefore, in exercise of the power conferred by Sub-Section (I) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline.

And further in exercise of power conferred by Sub-Section (4) of the Section the Central Government directs that the right of user in the said lands shall instead of vesting Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

SCHEDULE

MRL PANANGUDI TO PPCL POLAGAM GAS PIPE LINE PROJECT

State	District	Taluk	Village No. & Name	Survey Number	Extent		Remarks
					In Hectares	In Acre Cent	
1	2	3	4	5	6	7	8
Tamil Nadu	Nagapattinam	Nagapattinam	124 Panangudi	133-4	0.04.5	0.11	
				133-6	0.00.5	0.01	
				133-7	0.11.0	0.27	
				143-1A3	0.04.0	0.10	
				143-3B	0.01.0	0.02	
				143-6	0.07.5	0.18	
				143-9	0.17.5	0.43	
				138-1	0.03.5	0.09	
				138-3	0.10.5	0.26	
				138-4	0.09.0	0.22	
				138-5	0.08.0	0.20	
				138-6	0.04.0	0.10	
				139-2	0.00.5	0.01	
				140-3	0.00.5	0.01	
				141-1E	0.09.0	0.22	
				141-2A	0.04.5	0.11	

1	2	3	4	5	6	7	8
Tamil Nadu	Nagapattinam	Nagapattinam	124 Panangudi	141-2B	0.01.5	0.04	
				258-3	0.37.0	0.92	
				259-1	0.08.5	0.21	
				296-3	0.39.0	0.96	
				206-1B1	0.02.5	0.06	
				206-1B2	0.01.5	0.04	
				206-1C	0.04.0	0.10	
				206-1D	0.04.0	0.10	
				204-1	0.07.0	0.17	
				204-2	0.03.0	0.08	
				204-3	0.03.0	0.08	
				203-1	0.04.0	0.10	
				203-4A	0.05.0	0.12	
				203-4B	0.03.0	0.08	
				201-2	0.00.5	0.01	
				201-3	0.05.5	0.13	
				202-1A	0.00.5	0.01	
				202-1B	0.13.0	0.32	
				200-1A	0.17.0	0.42	
				103-1	0.15.0	0.37	
				103-4	0.01.0	0.02	
				104-4A	0.00.5	0.01	
				104-4B	0.14.0	0.35	
				104-5A	0.02.0	0.05	
				107-2A	0.08.0	0.20	
				107-4A	0.00.5	0.01	
				107-4B	0.02.5	0.06	
				107-5	0.05.0	0.12	
				107-6	0.02.0	0.05	
				107-11	0.06.5	0.16	
				113-1	0.16.0	0.40	
				113-2	0.01.5	0.04	
				113-5B	0.04.0	0.10	
				113-6	0.11.0	0.27	

[No. L-14016/19/96-G.P.]

I. S. N. PRASAD, Dy. Secy.

नई दिल्ली, 28 अगस्त, 1998

का०आ० 1756.—पेट्रोलियम और खनिज पाइप लाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा-3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का०आ० 760 तारीख 11-3-97 द्वारा भारत सरकार ने उस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों के अधिकार को पाइप लाइन बिछाने के लिए अर्जित करने का आशय घोषित किया था।

अतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

तत्पश्चात् भारत सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रवृत्त शक्ति का प्रयोग करते हुए भारत सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

इस धारा की उपधारा (4) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए भारत सरकार निर्देश देती है कि उक्त भूमियों में अधिकार भारत सरकार में निहित होने के बजाए गैस अयॉरिटी ऑफ इंडिया लिमिटेड में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

एम आर एल पाननगुडी से पी पी सी एल पोलागम गैस पाइप लाइन प्रोजेक्ट

राज्य	जिला	तहसील	गांव का नाम एवं नम्बर	सर्वे नं०	हेक्टेयर	एकड़	टिप्पणी
पांडिचेरी	पांडिचेरी	करायकल	35 पोलागम	136.2	0.02.0	0.05	
				138.2	0.00.5	0.01	
				138.3	0.08.0	0.20	
				138.4	0.00.5	0.01	
				139.1	0.01.5	0.04	
				139.2	0.15.0	0.38	
				139.3	0.11.5	0.28	
				159.1	0.00.5	0.01	
				141	0.00.5	0.01	
				143.3	0.23.0	0.57	
				143.4	0.01.5	0.04	
				166.4	0.38.5	0.95	

[सं० एल०-14016/19/96-जी.पी.]

आई० एस० एन० प्रसाद, उप सचिव

New Delhi, the 28th August, 1998

S.O. 1756.—whereas by Notification of the Government of India in the Ministry of Petroleum S.O. 761 Dated 4-3-97 under Sub-Section (I) of Section 6 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline.

And whereas the Competent Authority has under Sub-Section (I) of section 6 of the said Act, submitted report to the Government.

And further whereas the Central Government has, after considering the said report, declared to acquire the right of user in the lands specified in the schedule appended to this Notification.

Now, therefore, in exercise of the power conferred by Sub-Section(I) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline.

And further in exercise of power conferred by Sub-Section (4) of the Section the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vest on this date of the publication of this declaration the Gas Authority of India Limited free from encumbrances.

SCHEDULE

MRL PANANGUDI TO PPCL POLAGAM GAS PIPELINE PROJECT

State	District	Taluk	Village No. & Name	Survey Number	Extent		Remarks
					In Hectares	In Acre Cent	
1	2	3	4	5	6	7	8
Pondicherry	Pondicherry	Karaikal	35 Polagam	136.2	0.02.0	0.05	
				138.2	0.00.5	0.01	
				138.3	0.08.0	0.20	
				138.4	0.00.5	0.01	
				139.1	0.01.5	0.04	
				139.2	0.15.0	0.38	
				139.3	0.11.5	0.28	
				159.1	0.00.5	0.01	
				141	0.00.5	0.01	
				143.3	0.23.0	0.57	
				143.4	0.01.5	0.04	
				166.4	0.38.5	0.95	

[No. L-14016/19/96-G.P.]

I. S. N. PRASAD, Dy. Secy.

नई दिल्ली, 28 अगस्त, 1998

का. आ. 1757 :—पेट्रोलियम और खनिज पाइप लाइन (भूमि के उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 के उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का. आ. 2652 तारीख 25-9-97 द्वारा भारत सरकार ने उस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों के अधिकार को पाइप लाइन बिछाने के लिए अर्जित करने का आशय घोषित किया था।

अतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

तत्पश्चात् भारत सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए भारत सरकार एतद्द्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्द्वारा अर्जित किया जाता है।

इस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारत सरकार निर्देश देती है कि उक्त भूमियों में अधिकार भारत सरकार में निहित होने के बजाय गैस अथॉरिटी ऑफ इंडिया लिमिटेड में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

नैल्लूर भरती प्रोडक्शन सिस्टम से थिरुमाकोट्टाई टी एन ई की गैस पाइपलाइन प्रोजेक्ट

राज्य	जिला	तालुक	ग्राम संख्या तथा नाम	सर्वे नं.	एरिया		टिप्पणी
					हेटक्. में	एकड़ सैन्ट में	
1	2	3	4	5	6	7	8
तमिलनाडु	थिरुवारूर	मन्नारगुडी	74, नैल्लूर	25. 2 ए	0. 03. 0	0. 08	
				25. 4ए	0. 10. 5	0. 26	
				5. 6	0. 04. 0	0. 10	
				5. 7	0. 14. 0	0. 35	
				7. 1	0. 06. 5	0. 16	
				7. 2ए	0. 09. 5	0. 23	
				7. 2बी	0. 00. 5	0. 01	
				8. 1	0. 07. 0	0. 18	
				8. 2	0. 10. 5	0. 26	
				131. 2ए	0. 12. 5	0. 31	
				131. 2बी	0. 03. 0	0. 08	
				129. 3	0. 02. 0	0. 05	
				129. 6	0. 05. 5	0. 14	
				129. 7	0. 11. 5	0. 29	
				150. ए. 1	0. 00. 5	0. 01	
				150. ए. 2	0. 07. 5	0. 19	
				150. ए. 3	0. 07. 5	0. 19	
				150. बी. 2	0. 03. 0	0. 06	
				154. एफ. 5	0. 07. 0	0. 18	
				153. 1	0. 02. 0	0. 05	
				153. 2	0. 02. 0	0. 05	
				153. 3	0. 02. 8	0. 05	
				152. 1	0. 18. 0	0. 44	
				152. 2	0. 01. 5	0. 04	
				155ई. 3	0. 07. 5	0. 19	

1	2	3	4	5	6	7	8
तमिलनाडु	थिरुवारूर	मन्नारगुडी	74, तैल्लूर	153ई. 5	0.05.5	0.14	
				153ई. 6	0.07.5	0.19	
				156. 3	0.02.5	0.06	
				156. 4ए	0.04.5	0.10	
				156. 4बी	0.02.5	0.06	
				156. 6	0.02.0	0.05	
				156. 10	0.04.5	0.11	
				155डी. 4	0.05.0	0.12	
				157जे. 2	0.07.0	0.18	
				157जे. 6	0.01.5	0.04	
				157आई. 1	0.02.5	0.06	
				157आई. 2	0.05.5	0.14	
				157आई. 3ए	0.04.5	0.11	
				157एच. 1	0.06.0	0.14	
				157एम. 3	0.01.0	0.02	
				157एम. 4	0.07.5	0.19	
				157एम. 1	0.12.0	0.30	
				157एन. 3	0.00.5	0.01	
				95. 3	0.09.5	0.23	
			73, ओरापूर	203. 2डी	0.04.0	0.10	
				203. 6बी	0.01.5	0.04	
				203. 7	0.10.5	0.26	
				203. 8	0.00.5	0.01	
				205. 1ए	0.05.5	0.13	
				205. 1 बी 1	0.02.0	0.04	
				205. 1 बी 2	0.00.5	0.01	
				205. 6	0.04.0	0.10	
				165. 1	0.03.0	0.08	
				165. 2	0.03.0	0.08	
				165. 3	0.07.5	0.18	
				170. 1ए	0.09.0	0.22	
				170. 2ए	0.05.0	0.12	
				170. 2बी	0.01.0	0.02	
				171. 4	0.04.5	0.11	
				171. 5	0.07.5	0.19	
				171. 6	0.08.0	0.20	
				171. 9	0.06.0	0.14	
				171. 10	0.01.5	0.04	
				116. 3	0.03.0	0.08	
			72, कैलुवाथूर	144. 1	0.12.5	0.31	
				143.	0.13.0	0.32	
				141. 1ए	0.09.0	0.22	
				15. 1	0.01.5	0.04	
				16	0.07.5	0.18	
				17	0.15.5	0.33	

1	2	3	4	5	6	7	8
तमिलनाडु	थिरुवारुर	मन्नारमुडी	72, कैलुवाथूर	18.3	0.05.5	0.13	
				20.2ए	0.07.5	0.18	
				20.2सी	0.08.0	0.20	
				21.2	0.09.0	0.22	
				40.3बी	0.07.5	0.18	
				40.3सी	0.00.5	0.02	
				41.3ए	0.09.5	0.23	
				42.3	0.07.0	0.17	
				43.2	0.06.5	0.16	
				43.4	0.13.0	0.32	
				45.	0.06.0	0.15	
		071	चैनपराई	427.2सी	0.17.0	0.42	
				434.2	0.02.5	0.06	
				434.3	0.04.5	0.11	
				434.4	0.04.5	0.11	
				434.5	0.04.5	0.11	
				434.6	0.03.0	0.08	
				434.7	0.01.0	0.02	
				283.9ए	0.04.5	0.11	
				284.5बी	0.00.5	0.01	
				284.6ए	0.01.0	0.02	
				284.6बी	0.05.0	0.12	
				284.7सी	0.00.5	0.01	
				284.8ए	0.06.0	0.15	
				284.8बी	0.05.5	0.14	
				284.9बी	0.04.0	0.10	
				284.10	0.07.5	0.19	
				284.11ए	0.01.0	0.02	
				284.14	0.05.0	0.12	
				284.15	0.01.0	0.02	
				268	0.10.5	0.26	
				267.1	0.04.0	0.10	
				267.2	0.01.0	0.02	
				267.3	0.09.5	0.23	
				269.	0.11.0	0.27	
				270.	0.12.0	0.30	
				251.	0.12.0	0.20	
				254	0.09.5	0.24	
				253	0.28.5	0.70	
				256	0.04.0	0.10	
				209.2ए	0.09.0	0.22	
				209.2बी	0.03.5	0.09	
				209.2सी	0.05.5	0.13	
				210.1ए	0.04.5	0.11	
				210.1बी	0.08.0	0.20	
				210.1सी	0.01.5	0.04	
				206.5	0.03.0	0.08	
				211.1	0.03.0	0.08	

1	2	3	4	5	6	7	8
तमिलनाडु	थिरुवारुर	मन्नारगुडी	0 71 थैनवरार्ई	211. 2ए	0. 07. 5	0. 19	
				211. 2बी	0. 12. 0	0. 30	
				211. 3	0. 03. 5	0. 09	
				211. 4	0. 00. 5	0. 01	
				212. 1	0. 04. 0	0. 10	
				212. 2ए	0. 01. 0	0. 02	
				212. 2बी	0. 00. 5	0. 01	
				203	0. 16. 0	0. 40	
				196. 1ए	0. 03. 0	0. 08	
				196. 3ए	0. 05. 5	0. 14	
				196. 3बी	0. 00. 5	0. 01	
				197. 5ए	0. 17. 0	0. 42	
		66, बैल्लूर		168.	0. 22. 0	0. 55	
				173. 1ए	0. 05. 5	0. 14	
				173. 13	0. 00. 5	0. 01	
				175. 1ए	0. 04. 0	0. 10	
				175. 1बी	0. 05. 5	0. 13	
				175. 1सी	0. 04. 5	0. 11	
				175. 1डी	0. 03. 0	0. 08	
				175. 1ई	0. 07. 5	0. 19	
				163. 1 ए1	0. 00. 5	0. 01	
				163. 1ए2	0. 01. 5	0. 04	
				163. 1ए3	0. 05. 0	0. 12	
				163. 1ए5	0. 03. 5	0. 09	
				163. 2	0. 00. 5	0. 01	
				163. 3ए	0. 05. 5	0. 13	
				162. 2सी1	0. 05. 0	0. 12	
				162. 2सी2	0. 06. 0	0. 14	
				184. 1	0. 06. 0	0. 14	
				184. 2	0. 00. 5	0. 01	
				184. 3	0. 09. 5	0. 24	
				184. 4	0. 02. 0	0. 04	
				161-2बी9	0. 02. 5	0. 06	
				161. 2 बी10	0. 03. 5	0. 09	
				161. 2बी11	0. 09. 0	0. 22	
				187. 1	0. 21. 0	0. 52	
				187. 2	0. 00. 5	0. 01	
				155. 4ए	0. 07. 0	0. 17	
				155. 4 बी	0. 06. 5	0. 16	

1	2	3	4	5	6	7	8
तमिलनाडु	थिरुवारूर	मन्नारगुडी	66, वैल्लूर	154.ए2	0.02.5	0.06	
				154.ए3	0.06.5	0.16	
				150.ए2	0.15.5	0.39	
				150.ए.3	0.07.0	0.17	
				150बी.1ए	0.00.5	0.01	
				148ए.1बी2	0.10.0	0.25	
				148ए.4	0.01.0	0.02	
				147.2ई	0.00.5	0.01	
				151.1ए	0.13.5	0.33	
				151.1बी	0.12.0	0.30	
				151.1सी	0.10.5	0.01	
				146.2डी2	0.04.0	0.10	
				146.2डी3	0.03.5	0.09	
				146.2ई	0.00.5	0.01	
				143.2	0.02.5	0.06	
		66-1, राधानर-	सिम्हापुरम	516.4	0.05.5	0.13	
		0067,	थिरुमाकोट्टाई	23.1	0.07.5	0.18	
				23.2ए	0.03.0	0.08	
				23.2बी	0.04.5	0.11	
				171.1ए	0.00.5	0.01	
				171.1बी	0.09.0	0.22	
				171.2	0.01.0	0.03	
				171.3	0.00.5	0.01	
				171.6	0.04.0	0.10	
				171.7	0.00.5	0.01	
				171.14	0.05.0	0.12	
				171.5	0.02.0	0.05	
				172.3	0.06.0	0.15	
				174.1बी1	0.00.5	0.01	
				174.1सी	0.04.5	0.11	
				174.1डी1	0.04.0	0.10	
				174.1ई	0.00.5	0.01	
				174.1एफ	0.03.0	0.08	
				174.1 जी	0.06.0	0.15	
				173.2बी	0.01.0	0.02	
				176.1ए	0.04.5	0.11	
				176.2	0.05.5	0.13	
				176.3	0.14.0	0.35	
				176.4बी	0.03.0	0.08	
				177.8	0.01.0	0.02	
				190.5	0.06.5	0.16	
				190.7	0.01.0	0.02	

1	2	3	4	5	6	7	8
तमिलनाडु	थिरुवारूर	मन्नारगुडी	567,	191.8 सी 1	0.06.0	0.15	
			थिरुमाकोट्टाई	191.8 सी 2	0.02.0	0.05	
				191.9 बी	0.01.5	0.04	
				191.10	0.04.0	0.10	
				530.1 बी	0.11.5	0.29	
				530.2 ए	0.03.0	0.08	
				530.2 बी	0.10.0	0.02	
				530.2 सी	0.00.5	0.01	
				530.2 डी	0.11.0	0.27	
				530.2 एफ	0.01.0	0.02	
				511.4 ए	0.07.5	0.19	
				511.4 बी	0.08.0	0.20	
				510.3	0.00.5	0.01	
				512.1 ए	0.00.5	0.01	
				513.	0.08.0	0.20	

[सं. एल-14016/2/97-जी.पी.]

आई.एस.एन प्रसाद, उप सचिव

New Delhi, the 28th August, 1998

S.O. 1757.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. 2652 dated 25-9-97 under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land, Act 1962 (50 of 1962) the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (1) of section 6 of the said Act, submitted report to the Government.

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification.

Now therefore, in exercise of the power conferred by sub-section (1) of the section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule to this appended notification hereby acquired for laying the pipeline.

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Gas Authority of India Ltd. free from all encumbrances.

SCHEDULE

NALLUR EARLY PRODUCTION SYSTEM TO THIRUMAOTTAI TNEB
GAS PIPELINE PROJECT

State	District	Taluk	Village No. & Name	Survey Number	Extent		Remarks
					In Hectares	In Acre Cent	
1	2	3	4	5	6	7	8
Tamilnadu	Thiruvavarur	Mannargudi	74 Nallur	25.2A	0.03.0	0.08	
				25.4A	0.10.5	0.26	
				5.6	0.04.0	0.10	

1	2	3	4	5	6	7	8
Tamilnadu	Thiruvarur	Mannargudi	74 Nallur	5.7	0.14.0	0.35	
				7.1	0.06.5	0.16	
				7.2A	0.09.5	0.23	
				7.2B	0.00.5	0.01	
				8.1	0.07.0	0.18	
				8.2	0.10.5	0.26	
				131.2A	0.12.5	0.31	
				131.2B	0.03.0	0.08	
				129.3	0.02.0	0.05	
				129.6	0.05.5	0.14	
				129.7	0.11.5	0.29	
				150.A.1	0.00.5	0.01	
				150.A.2	0.07.5	0.19	
				150.A.3	0.07.5	0.19	
				150.B.2	0.03.0	0.06	
				154.F.5	0.07.0	0.18	
				153.1	0.02.0	0.05	
				153.2	0.02.0	0.05	
				153.3	0.02.0	0.05	
				152.1	0.18.0	0.44	
				152.2	0.01.5	0.04	
				155E.3	0.07.5	0.19	
				153E.5	0.05.5	0.14	
				153B.6	0.07.5	0.19	
				156.3	0.02.5	0.06	
				156.4A	0.04.0	0.10	
				156.4B	0.02.5	0.06	
				156.6	0.02.0	0.05	
				156.10	0.04.5	0.11	
				155D.4	0.05.0	0.12	
				157J.2	0.07.0	0.18	
				157I.1	0.02.5	0.06	
				157I.2	0.05.5	0.14	
				157I.3A	0.04.5	0.11	
				157H.1	0.06.0	0.14	
				157M.3	0.01.0	0.02	
				157M.4	0.07.5	0.19	
				157N.1	0.12.0	0.30	
				157N.3	0.00.5	0.01	
				95.3	0.10.0	0.25	
			73 Orathur	203.2D	0.04.0	0.10	
				203.6B	0.01.5	0.04	
				203.7	0.10.5	0.26	
				203.8	0.00.5	0.01	
				205.1A	0.05.5	0.13	
				205.1B1	0.02.0	0.04	

1	2	3	4	5	6	7	8
Tamilnadu	Thiruvarur	Mannargudi	72 Orathur	205.1B2	0.00.5	0.01	
				205.6	0.04.0	0.10	
				165.1	0.03.0	0.08	
				165.2	0.03.0	0.08	
				165.3	0.07.5	0.18	
				170.1A	0.09.0	0.22	
				170.2A	0.05.0	0.12	
				170.2B	0.01.0	0.02	
				171.4	0.04.5	0.11	
				171.5	0.07.5	0.19	
				171.6	0.08.0	0.20	
				171.9	0.06.0	0.14	
				171.10	0.01.5	0.04	
				116.3	0.03.0	0.08	
			72 Keluvathur	144.1	0.12.5	0.31	
				143.C	0.13.0	0.32	
				141.1A	0.09.0	0.22	
				15.1	0.01.5	0.04	
				16	0.07.5	0.18	
				17	0.15.5	0.33	
				18.3	0.05.5	0.13	
				20.2A	0.07.5	0.18	
				21.2	0.08.0	0.20	
				21.2	0.09.0	0.22	
				40.3B	0.07.5	0.18	
				40.3C	0.00.5	0.02	
				41.3A	0.09.5	0.23	
				42.3	0.07.0	0.17	
				43.2	0.06.5	0.16	
				43.4	0.13.0	0.32	
				45	0.06.0	0.15	
			071 Thenparai	427.2	0.17.0	0.42	
				434.2	0.02.5	0.06	
				434.3	0.04.5	0.11	
				434.4	0.04.5	0.11	
				434.5	0.04.5	0.11	
				434.6	0.03.0	0.08	
				434.7	0.01.0	0.02	
				283.9A	0.04.5	0.11	
				284.5D	0.00.5	0.01	
				284.6A	0.01.0	0.02	
				284.6B	0.05.0	0.12	
				284.7C	0.00.5	0.01	
				284.8A	0.06.0	0.15	

1	2	3	4	5	6	7	8		
Tamilnadu	Thiruvarur	Mannargudi	071 Thenpara	284.8B	0.05.5	0.14			
				284.9B	0.04.0	0.10			
				284.10	0.07.5	0.19			
				284.11A	0.01.0	0.02			
				284.14	0.05.0	0.12			
				284.15	0.01.0	0.02			
				268.	0.10.5	0.26			
				267.1	0.04.0	0.10			
				267.2	0.01.0	0.02			
				267.3	0.09.5	0.23			
				269.	0.11.0	0.27			
				270.	0.12.0	0.30			
				251.	0.08.0	0.20			
				254.	0.09.5	0.24			
				253.	0.28.5	0.70			
				256.	0.04.0	0.10			
				209.2A	0.09.0	0.22			
				209.2B	0.03.5	0.09			
				209.2C	0.05.5	0.13			
				210.1A	0.04.5	0.11			
				210.1B	0.08.0	0.20			
				210.1C	0.01.5	0.04			
				206.5	0.03.0	0.08			
				211.1	0.03.0	0.08			
				211.2A	0.07.5	0.19			
				211.2B	0.12.0	0.30			
				211.3	0.03.5	0.09			
				211.4	0.00.5	0.01			
				212.1	0.04.0	0.10			
				212.2A	0.01.0	0.02			
				212.2B	0.00.5	0.01			
				203.	0.16.0	0.40			
				196.1A	0.03.0	0.08			
				196.3A	0.05.5	0.14			
				196.3B	0.00.5	0.01			
				197.5A	0.17.0	0.42			
				66 Vallur		168.	0.22.0	0.55	
						173.1A	0.05.5	0.14	
						173.13	0.00.5	0.01	
						175.1A	0.04.0	0.10	
						175.1B	0.05.5	0.13	

1	2	3	4	5	6	7	8
Tamil nadu	Thiruvavarur	Mennargudi	66 Vallur	175.1C	0.04.5	0.11	
				175.1D	0.03.0	0.08	
				175.1E	0.07.5	0.19	
				163.1A1	0.00.5	0.01	
				163.1A2	0.01.5	0.04	
				163.1A3	0.05.0	0.12	
				163.1A5	0.03.5	0.09	
				163.2	0.00.5	0.01	
				163.3A	0.05.5	0.13	
				162.2C1	0.05.0	0.12	
				162.2C2	0.06.0	0.14	
				184.1	0.06.0	0.14	
				184.2	0.00.5	0.01	
				184.3	0.09.5	0.24	
				184.4	0.02.0	0.04	
				161.289	0.02.5	0.06	
				161.2B10	0.03.5	0.09	
				161.2B11	0.09.0	0.22	
				187.1	0.21.0	0.52	
				187.2	0.00.5	0.01	
				155.4A	0.07.0	0.17	
				155.4B	0.06.5	0.16	
				154.A.2	0.02.5	0.06	
				154.A.3	0.06.5	0.16	
				150.A.2	0.15.5	0.39	
				150.A.3	0.07.0	0.17	
				150B.1A	0.00.5	0.01	
				148A.1B2	0.10.0	0.25	
				148A.4	0.01.0	0.02	
				147.2E	0.00.5	0.01	
				151.1A	0.13.5	0.33	
				151.1B	0.12.0	0.30	
				151.1C	0.00.5	0.01	
				146.2D2	0.04.0	0.10	
				146.2D3	0.03.5	0.09	
				146.2E	0.00.5	0.01	
				143.2	0.02.5	0.06	
			66-1 Radha	516.4	0.05.5	0.13	
			Narasimapuram				

1	2	3	4	5	6	7	8
Tamilnadu	Thiruvavarur	Mannargudi	067 Thirumakotkottai	23.1	0.07.5	0.18	
				23.2A	0.03.0	0.08	
				23.2B	0.04.5	0.11	
				171.1A	0.00.5	0.01	
				171.1B	0.09.0	0.22	
				171.2	0.01.0	0.03	
				171.3	0.00.5	0.01	
				171.6	0.04.0	0.10	
				171.7	0.00.5	0.01	
				171.14	0.05.0	0.12	
				171.5	0.02.0	0.05	
				172.3	0.06.0	0.15	
				174.1B1	0.00.5	0.01	
				174.1C	0.04.5	0.11	
				174.1D	0.04.0	0.10	
				174.1E	0.00.5	0.01	
				174.1F	0.03.0	0.08	
				174.1G	0.06.0	0.15	
				173.2B	0.01.0	0.02	
				176.1A	0.04.5	0.11	
				176.2	0.05.5	0.13	
				176.3	0.14.0	0.35	
				176.4B	0.03.0	0.08	
				177.8	0.01.0	0.02	
				190.5	0.06.5	0.16	
				190.7	0.01.0	0.02	
				191.8C1	0.06.0	0.15	
				191.8C2	0.02.0	0.05	
				191.9B	0.01.5	0.04	
				191.10	0.04.0	0.10	
				530.1B	0.11.5	0.29	
				530.2A	0.03.0	0.08	
				530.2B	0.01.0	0.02	
				530.2C	0.00.5	0.01	
				530.2D	0.11.0	0.27	
				530.2F	0.01.0	0.02	
				511.4A	0.07.5	0.19	
				511.4B	0.08.0	0.20	
				510.3	0.00.5	0.01	
				512.1A	0.00.5	0.01	
				513.	0.08.0	0.20	

नई दिल्ली, 3 सितम्बर, 1998

का.आ. 1758.— .. केन्द्रीय सरकार को ऐसा प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में वाडिनार से कांडला तक पेट्रोलियम उत्पादों के परिवहन के लिए पेट्रोनेट पी.के. लिमिटेड की ओर से वाडिनार-कांडला बाइपलाइन परियोजना के कार्यान्वयन हेतु इंडियन ऑयल कॉर्पोरेशन लिमिटेड द्वारा एक बाइपलाइन बिछाई जानी चाहिए ।

और ऐसा प्रतीत होता है कि ऐसी बाइपलाइन बिछाने के प्रयोजन के लिए इस अधिस्तूना से उपायद्व अनुसूची में वर्णित भूमि के उपयोग के अधिकार का अर्जन करना आवश्यक है ।

अतः अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज बाइपलाइन भूमि में उपयोग के अधिकार का अर्जन अधिनियम, 1962 [1962 का 50] की धारा 3 की उपधारा 11 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उनमें उपयोग के अधिकार का अर्जन करने के अपने आराय की घोषणा करती है ।

उक्त अनुसूची में वर्णित भूमि में हितबद्ध कोई व्यक्ति, भारत के राजपत्र में यथा प्रकाशित इस अधिस्तूना की प्रतियां ताधारणा जनता को उपलब्ध करा दिए जाने की तारीख से 21 दिन के भीतर उनमें उपयोग के अधिकार का अर्जन या भूमि में बाइपलाइन बिछाने में आपत्ति लिखित रूप में श्री जे. के. गढ़वी, तक्षम प्राधिकारी, इंडियन ऑयल कॉर्पोरेशन लिमिटेड, वाडिनार कांडला बाइपलाइन परियोजना, " रियल क्वा " बंक सोसायटी इन्टरनैशियल के पास जामनगर-361 008 [गुजरात] को कर सकेगा ।

अनुसूची

तहसील : गाँधीधाम

जिला : कच्छ

राज्य : गुजरात

गाँव का नाम	सर्वे संख्या	क्षेत्रफल		
		हेक्टर	अर	सेन्टीअर
1	2	3	4	5
किडाना	25/2	00	07	10
	22/2	00	34	40
	21	00	07	20
	155/9	00	23	40

1	2	3	4	5
भारतपर	209/1	00	13	80
	210	00	15	80
	211/2	00	14	80
	212	00	28	20
	216	00	14	00
	214	00	40	50
	180/1	00	23	20
	175/2	00	09	30
	163	00	15	50
	162/1	00	18	50
	161	00	25	30
	159	00	61	30
	156/1	00	14	00
	156/2	00	01	60
	105	00	36	40
	106	00	03	30
	90/2	00	21	40
	90/1	00	13	00
	89/2	00	20	40
	88/1	00	04	60
	86/2	00	15	50
	86/1	00	04	40
	85/1	00	00	20
	85/2	00	09	70
	84/1	00	10	60
	83	00	20	60
	67	00	29	20
	68	00	26	70
	157/1	00	01	60
	89/1	00	04	90
पिरा	377	00	00	80
	378	00	26	10
	379	00	32	80
	380	00	23	20
	373	00	00	30
	368	00	15	40
	367/1	00	19	20
	367/2	00	23	10

तहसील : अंजार

1	2	3	4	5
	360	00	28	90
	430/1	00	01	00
	431/1	00	08	10
	431/2	00	11	30
	434	00	34	80
	435	00	12	70
	438/2	00	11	80
	437	00	10	40
	441/1	00	10	60
	441/2	00	25	90
	442	00	15	00
	446	00	00	50
नगा धलाडिया	367	00	12	70
	302/1	00	08	20
	303	00	27	50
	305	00	17	60
	304/1	00	07	10
	319/2	00	10	00
	318/2	00	17	30
	318/1	00	23	40
	317	00	15	10
	316	00	17	20
	314	00	11	70
	310/2	00	12	60
	311/1	00	17	70
	126/1	00	16	80
	125/1	00	12	50
	127	00	25	30
	128	00	15	20
	123	00	02	50
	161/2	00	05	40
	121	00	26	10
	162/1	00	27	60
	207	00	20	50
	206	00	13	80
	204/1	00	16	70
	203	00	26	00
	175	00	26	70

1	2	3	4	5
	176/1	00	35	80
	176/2	00	10	40
	195/1	00	01	20
	195/2	00	17	70
	177	00	25	00
	179/2	00	14	20
	190	00	30	00
	188	00	38	30
	184/1	00	00	40
	184/2	00	16	70
	187	00	13	70
	185	00	24	20
	89/1	00	00	80
	88/2	00	10	00
	88/1	00	05	20
	189	00	00	20
	162/2	00	11	10
संघट	416/2	00	06	50
	416/1	00	31	00
	415	00	07	30
	417/3	00	00	20
	421/1	00	15	40
	421/2	00	16	40
	422	00	14	10
	423/2	00	07	00
	425	00	13	10
	426/3	00	06	80
	426/4	00	14	50
	428/2	00	11	10
	434/1	00	15	20
	447/1	00	00	80
	447/2	00	10	10
	446/3	00	28	10
	456/1	00	11	20
	468	00	46	00
	469	00	33	00
	470	00	12	00
	482	00	01	70
	485	00	18	80
	486/2	00	15	70
	503/1	00	02	70

1	2	3	4	5
	503/2	00	07	60
	504/1	00	20	00
	500	00	22	60
	504/2	00	18	30
	499/1	00	11	00
	496	00	17	30
	497/3	00	12	50
	497/2	00	07	30
	497/1	00	06	90
	408/2	00	02	10
	502/1	00	06	80
	502/2	00	06	50
	502/3	00	06	20
	501/1	00	00	50
माध्यक	206/8	00	07	60
	200/1	00	09	20
	200/2	00	11	20
	200/5	00	01	70
	200/6	00	13	90
	200/7	00	02	10
	201/2	00	03	60
	201/3	00	09	60
	201/4	00	02	10
	201/5	00	11	30
	201/6	00	10	30
	202	00	00	40
	195/1	00	23	40
	194	00	16	40
	193/3	00	00	50
	171/2	00	06	70
	172/1	00	09	80
	172/2	00	08	30
	172/3	00	05	20
	175/1	00	12	10
	175/2	00	09	00
	176/3	00	05	50
	176/2	00	06	80
	176/1	00	09	50
	179	00	20	50
	180	00	19	30
	181	00	24	00

1	2	3	4	5
	182	00	02	40
	148/1	00	11	60
	177	00	00	30
	175/3	00	04	00
कुन	226/1	00	26	10
	182	00	19	20
	183/1	00	14	50
	183/2	00	11	10
	184	00	06	00
	188	00	07	00
	189	00	10	70
	190	00	06	20
	191/1	00	03	60
	191/2	00	05	70
	192/1	00	04	50
	192/2	00	05	30
	193/2	00	05	70
	193/1	00	08	60
	195	00	16	20
	126/2	00	03	10
	147/2	00	16	40
	129/2	00	17	60
	131/2	00	14	30
	132/1	00	13	10
	142	00	15	70
	133	00	20	60
	141	00	31	30
	140	00	05	00
रामपर	153	00	25	70
	151	00	08	30

तहसील : मुंदा

1	2	3	4	5
मन्देश्वर	612/1	00	29	70
	613/2	00	07	40
	614	00	31	40
	618	00	37	70
	622/1	00	24	00
	622/2	00	16	20
	665	00	03	80
	664	00	47	20
	661	00	24	30
	660	00	21	40
	649/2	00	02	80
	659/2	00	12	20
	649/3	00	02	80
	649/4	00	03	70
	649/5	00	12	00
	648/1	00	23	30
	644/1	00	23	00
	643/1	00	22	50
	642/1	00	22	80
	642/2	00	15	50
	639/1	00	04	80
	639/2	00	17	00
	639/3	00	09	10
	549/4	00	05	50
	549/4	00	10	80
	549/5	00	06	90
	548/1	00	33	60
	547/1	00	01	50
	546/1	00	24	70
	540/3	00	00	30
	542/1	00	23	60
	542/2	00	02	80
	515/2	00	08	20
	515/4	00	08	70
	517	00	18	70
	526/1	00	25	80

1	2	3	4	5
	526/3	00	02	90
	533/1	00	00	70
	532	00	17	80
	531/1	00	09	30
	531/2	00	04	10
	531/3	00	07	80
	531/4	00	05	50
	531/5	00	04	20
	530/1	00	10	70
	530/2	00	07	40
	649/6	00	05	10
	515/1	00	09	20
	460/1	00	02	70
	460/2	00	14	00
	460/3	00	12	00
	460/4	00	07	20
	463	00	20	00
	456/2	00	00	50
	455/1	00	21	60
	453/1	00	12	10
	453/2	00	08	00
	452/1	00	03	50
	452/2	00	06	60
	451/1	00	04	50
	451/2	00	07	80
	448/1	00	00	10
	448/2	00	00	70
	448/3	00	00	90
	448/4	00	01	20
	449/3	00	17	70
	449/2	00	35	10
	446/1	00	02	60
	446/2	00	01	60
	441	00	33	50
	445/1	00	01	10
	392/1	00	02	40
	443	00	12	40
	382/1	00	18	70
	382/2	00	02	50

1	2	3	4	5
	423/2	00	10	30
	423/1	00	20	80
	422/1	00	18	80
	421/2	00	01	30
	421/3	00	08	60
	391/1	00	13	20
	390/1	00	03	10
	390/2	00	05	80
	390/3	00	06	50
	391/2	00	06	10
	395/1	00	02	00
	397/1	00	18	40
	397/2	00	31	80
	393/1	00	19	50
	393/2	00	18	00
	394	00	40	40
हटकी	234	00	18	70
	233	00	28	70
	231/1	00	16	30
	231/2	00	15	50
	228/4	00	00	80
	216/2	00	12	00
	216/1	00	15	00
	227/1	00	05	90
	217/1	00	11	80
	219/1	00	15	70
	220/2	00	33	40
	206	00	40	70
	205	00	29	20
	190	00	05	80
	189	00	40	10
	182	00	33	30
	183	00	14	10
	171	00	25	70
	172	00	02	00
	170	00	03	20
	169/1	00	15	80
	169/3	00	14	70
	168	00	43	60

1	2	3	4	5
कुकडसर	41	00	00	70
	43	00	49	00
	44	00	31	30
	45/2	00	10	20
	45/1	00	11	60

[फाइल सं.-31015/7/98-ओआर.-I]

के. सी. कटोच, अवर सचिव

New Delhi, the 3rd September, 1998

S.O. 1758.—Whereas, it appears to the Central Government that it is necessary, in the public interest that for the transport of petroleum products from Vadinar to Kandla in the State of Gujarat, a pipeline should be laid by the Indian Oil Corporation Limited, for implementing Vadinar-Kandla Pipeline Project on behalf of Petronet V.K. Limited.

And whereas it appears that for the purpose of laying such pipelines it is necessary to acquire the right of user in the land described in the Schedule annexed to this notification.

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

Any person interested in the land described in the said schedule may within 21 days from the date on which the copies of this notification, as published in the Gazette of India, are made available to general public, object in writing to the acquisition of the right of user therein or laying of the pipeline under the land to Shri J.K. Gadhvi, Competent Authority, Indian Oil Corporation Limited, Vadinar - Kandla Pipeline Project, Shiv Krupa, Pankaj Society (Near Dental Hospital) Jamnagar - 361008 (Gujarat).

SCHEDULE

Tehsil : Gandhidham

District : Kachchh

State: Gujarat

Name of village	Survey No.	Area		
		Hectare	Are	Centiare
1	2	3	4	5
KIDANA	25/2	00	07	10
	22/2	00	34	40
	21	00	07	20
	155/9	00	23	40
BHARAPAR	209/1	00	13	80
	210	00	15	80
	211/2	00	14	80
	212	00	28	20
	216	00	14	00
	214	00	40	50
	180/1	00	23	20
	175/2	00	09	30
	163	00	15	50
	162/1	00	18	50
	161	00	25	30
	159	00	61	30
	156/1	00	14	00
	156/2	00	01	60
	105	00	36	40
	106	00	03	30
	90/2	00	21	40
	90/1	00	13	00
	89/2	00	20	40
	88/1	00	04	60
	86/2	00	15	50
	86/1	00	04	40
	85/1	00	00	20
	85/2	00	09	70
	84/1	00	10	60
	83	00	20	60
	67	00	29	20
	68	00	26	70
	157/1	00	01	60
	89/1	00	04	90

Tehsil : Anjar

1	2	3	4	5
VIRA	377	00	00	80
	378	00	26	10
	379	00	32	80
	380	00	23	20
	373	00	00	30
	368	00	15	40
	367/1	00	19	20
	367/2	00	23	10
	360	00	28	90
	430/1	00	01	00
	431/1	00	08	10
	431/2	00	11	30
	434	00	34	80
	435	00	12	70
	438/2	00	11	80
	437	00	10	40
	441/1	00	10	60
	441/2	00	25	90
	442	00	15	00
	446	00	00	50
NAGAVALADIA	367	00	12	70
	302/1	00	08	20
	303	00	27	50
	305	00	17	60
	304/1	00	07	10
	319/2	00	10	00
	318/2	00	17	30
	318/1	00	23	40
	317	00	15	10
	316	00	17	20
	314	00	11	70
	310/2	00	12	60
	311/1	00	17	70
	126/1	00	16	80
	125/1	00	12	50
	127	00	25	30
	128	00	15	20
	123	00	02	50
	161/2	00	05	40
	121	00	26	10
	162/1	00	27	60
	207	00	20	50

1	2	3	4	5
	206	00	13	80
	204/1	00	16	70
	203	00	26	00
	175	00	26	70
	176/1	00	35	80
	176/2	00	10	40
	195/1	00	01	20
	195/2	00	17	70
	177	00	25	00
	179/2	00	14	20
	190	00	30	00
	188	00	38	30
	184/1	00	00	40
	184/2	00	16	70
	187	00	13	70
	185	00	24	20
	89/1	00	00	80
	88/2	00	10	00
	88/1	00	05	20
	189	00	00	20
	162/2	00	11	10
SANGHAD	416/2	00	06	50
	416/1	00	31	00
	415	00	07	30
	417/3	00	00	20
	421/1	00	15	40
	421/2	00	16	40
	422	00	14	10
	423/2	00	07	00
	425	00	13	10
	426/3	00	06	80
	426/4	00	14	50
	428/2	00	11	10
	434/1	00	15	20
	447/1	00	00	80
	447/2	00	10	10
	446/3	00	28	10
	456/1	00	11	20
	468	00	46	00
	469	00	33	00
	470	00	12	00
	482	00	01	70
	485	00	18	80

1	2	3	4	5
	486/2	00	15	70
	503/1	00	02	70
	503/2	00	07	60
	504/1	00	20	00
	500	00	22	60
	504/2	00	18	30
	499/1	00	11	00
	498	00	17	30
	497/3	00	12	50
	497/2	00	07	30
	497/1	00	06	90
	408/2	00	02	10
	502/1	00	06	80
	502/2	00	06	50
	502/3	00	06	20
	501/1	00	00	50
MATHAK	206/8	00	07	60
	200/1	00	09	20
	200/2	00	11	20
	200/5	00	01	70
	200/6	00	13	90
	200/7	00	02	10
	201/2	00	03	60
	201/3	00	09	60
	201/4	00	02	10
	201/5	00	11	30
	201/6	00	10	30
	202	00	00	40
	195/1	00	23	40
	194	00	16	40
	193/3	00	00	50
	171/2	00	06	70
	172/1	00	09	80
	172/2	00	08	30
	172/3	00	05	20
	175/1	00	12	10
	175/2	00	09	00
	176/3	00	05	50
	176/2	00	06	80
	176/1	00	09	50
	179	00	20	50
	180	00	19	30
	181	00	24	00

1	2	3	4	5
	182	00	02	40
	148/1	00	11	60
	177	00	00	30
	175/3	00	04	00
TUNA	226/1	00	26	10
	182	00	19	20
	183/1	00	14	50
	183/2	00	11	10
	184	00	06	00
	188	00	07	00
	189	00	10	70
	190	00	06	20
	191/1	00	03	60
	191/2	00	05	70
	192/1	00	04	50
	192/2	00	05	30
	193/2	00	05	70
	193/1	00	08	60
	195	00	16	20
	126/2	00	03	10
	147/2	00	16	40
	129/2	00	17	60
	131/2	00	14	30
	132/1	00	13	10
	142	00	15	70
	133	00	20	60
	141	00	31	30
	140	00	05	00
RAMPAR	153	00	25	70
	151	00	08	30
Tehsil : Mundra				
BHADRESHWAR	612/1	00	29	70
	613/2	00	07	40
	614	00	31	40
	618	00	37	70
	622/1	00	24	00
	622/2	00	16	20
	665	00	03	80
	664	00	47	20
	661	00	24	30
	660	00	21	40

1	2	3	4	5
	649/2	00	02	80
	659/2	00	12	20
	649/3	00	02	80
	649/4	00	03	70
	649/5	00	12	00
	648/1	00	23	30
	644/1	00	23	00
	643/1	00	22	50
	642/1	00	22	80
	642/2	00	15	50
	639/1	00	04	80
	639/2	00	17	00
	639/3	00	09	10
	549/3	00	05	50
	549/4	00	10	80
	549/5	00	06	90
	548/1	00	33	60
	547/1	00	01	50
	546/1	00	24	70
	540/3	00	00	30
	542/1	00	23	60
	542/2	00	02	80
	515/2	00	08	20
	515/4	00	08	70
	517	00	18	70
	526/1	00	25	80
	526/3	00	02	90
	533/1	00	00	70
	532	00	17	80
	531/1	00	09	30
	531/2	00	04	10
	531/3	00	07	80
	531/4	00	05	50
	531/5	00	04	20
	530/1	00	10	70
	530/2	00	07	40
	649/6	00	05	10
	515/1	00	09	20
	460/1	00	02	70
	460/2	00	14	00
	460/3	00	12	00
	460/4	00	07	20
	463	00	20	00

1	2	3	4	5
	456/2	00	00	50
	455/1	00	21	60
	453/1	00	12	10
	453/2	00	08	00
	452/1	00	03	50
	452/2	00	06	60
	451/1	00	04	50
	451/2	00	07	80
	448/1	00	00	10
	448/2	00	00	70
	448/3	00	00	90
	448/4	00	01	20
	449/3	00	17	70
	449/2	00	35	10
	446/1	00	02	60
	446/2	00	01	60
	441	00	33	50
	445/1	00	01	10
	392/1	00	02	40
	443	00	12	40
	382/1	00	18	70
	382/2	00	02	50
	423/2	00	10	30
	423/1	00	20	80
	422/1	00	18	80
	421/2	00	01	30
	421/3	00	08	60
	391/1	00	13	20
	390/1	00	03	10
	390/2	00	05	80
	390/3	00	06	50
	391/2	00	06	10
	395/1	00	02	00
	397/1	00	18	40
	397/2	00	31	80
	393/1	00	19	50
	393/2	00	18	00
	394	00	40	40

1	2	3	4	5
HATDI	234	00	18	70
	233	00	28	70
	231/1	00	16	30
	231/2	00	15	50
	228/4	00	00	80
	216/2	00	12	00
	216/1	00	15	00
	227/1	00	05	90
	217/1	00	11	80
	219/1	00	15	70
	220/2	00	33	40
	206	00	40	70
	205	00	29	20
	190	00	05	80
	189	00	40	10
	182	00	33	30
	183	00	14	10
	171	00	25	70
	172	00	02	00
	170	00	03	20
	169/1	00	15	80
	169/3	00	14	70
	168	00	43	60
KUKADSAR	41	00	00	70
	43	00	49	00
	44	00	31	30
	45/2	00	10	20
	45/1	00	11	60

[File No. R-31015/7/98-OR-I]

K. C. KATOCH, Under Secy.

श्रम मंत्रालय

नई दिल्ली, 10 अगस्त, 1998

नई दिल्ली, 10 अगस्त, 1998

का.आ. 1759—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स ई.सी.एल. के प्रबन्धतंत्र से संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, आसनसोल के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 7-8-98 को प्राप्त हुआ था।

[सं.-एल-22012/169/93-आई.आर.-(सी-II)]

बी.एम. डेविड, डेस्क अधिकारी

MINISTRY OF LABOUR

New Delhi, the 10th August, 1998

S.O. 1759—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Asansol as shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s. E.C. Ltd. and their workman, which was received by the Central Government on 7-8-1998.

[No. L-22012/169/93-IR (C-II)]

B. M. DAVID, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL ASANSOL

Reference No. 46/93

PRESENT :

Shri R. S. Mishra, Presiding Officer.

PARTIES :

Employers in relation to the management of North Book Unit of Jamchhari (R) Colliery

AND

Their Workmen.

APPEARANCES :

For the employer—Shri P. Banerjee, Advocate.

For the Workman—None.

INDUSTRY : Coal STATE : West Bengal

Dated, the 29th July, 1998

AWARD

The Government of India in the Ministry of Labour in exercise of the powers conferred on them by clause (d) of sub-section (1) and sub-section (2-A) of Section 10 of the Industrial Disputes Act, 1947, has referred the following dispute to this Tribunal for adjudication by the Ministry of Labour's Order No. L-22012/169/93-IR (C-II) dated 13-9-93.

"Whether the action of the Management of Jamchhari (R) Colliery of M/s. E.C. Ltd. in withholding two increments of Shri Lodhai Jaiswara Security Guard is legal and justified? If not to what relief the workman is entitled?"

2. In spite of sufficient adjournments the union does not submit Written Statement. Apparently the union is no more interested with the dispute.

3. Hence 'No Dispute Award' is passed.

R. S. MISHRA, Presiding Officer

2262 GT98—13.

का.आ. 1760—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस.ई.सी.एल. के प्रबन्ध तंत्र से संबद्ध और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, राउरकेला के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 7-8-98 को प्राप्त हुआ था।

[सं. एल 22012/51/95-आई.आर. (सी.-II)]

बी.एम. डेविड, डेस्क अधिकारी

New Delhi, the 10th August, 1998

S.O. 1760—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the award of the Industrial Tribunal, Rourkela as shown in the Annexure, in the industrial dispute between the employers in relation to the management of S.E.C Ltd and their workman, which was received by the Central Government on 7-8-1998.

[No. L-22012/51/95-IR (C-II)]

B. M. DAVID, Desk Officer

ANNEXURE

IN THE COURT OF THE PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, ROURKELA

Industrial Dispute Case No. 85/97 (C)

Dated, the 21st May, 1998

PRESENT :

Shri R. N. Biswal, LL.M.,
(O.S.J.S. Sr. Branch)
Presiding Officer
Industrial Tribunal,
Rourkela.

BETWEEN

General Manager
Orient Area MCL,
Brajrajnagar,
Jharsuguda

Ist Party

AND

Joint Secretary
Brajrajnagar Coal Mines
Workers Union, Lamtibahal
Brajrajnagar, Jharsuguda

IInd Party

APPEARANCES :

For the Ist Party—None.

For the IInd Party—None.

AWARD

The Government of India in Ministry of Labour Department in exercise of their power conferred under clause (d) of sub-section (1) and sub-section (2-A) of Section 10 of the Industrial Disputes Act, 1947 have referred the following dispute vide reference No. L-22012/51/95-IR (C-II) dated 7-8-95 for adjudication :

"Whether the action of the management in Mine No. 3, Orient Area, Mahanadi Coal Fields Ltd. (earlier name South Eastern Coal Fields Ltd.) P.O. Brajrajnagar Dist. Jharsuguda terminating the services of Shri Bhakanand from 17-1-87 was justified? If not, what relief the workman is entitled to?"

2. The case was fixed on 19-5-98 for filing of written statement by the management. Since neither of the parties appeared before this Tribunal on that date it can be presumed that, at present there is no dispute between them or they have amicably settled the dispute outside the Court in the mean time. Accordingly No Dispute Award is passed.

R. N. BISWAL, Presiding Officer

नई दिल्ली, 10 अगस्त, 1998

का.प्रा. 1761.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स ई.सी.एल. के प्रबन्धतंत्र से संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबन्ध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, आसनसोल के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार की 7-8-98 को प्राप्त हुआ था।

[स. एल-22012/122/93/आई.आर. (सी.-II)]

बी.एम. डेविड, डेस्क अधिकारी

New Delhi, the 10th August, 1998

S.O. 1761.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Asansol as shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s. E.C. Ltd. and their workman, which was received by the Central Government on 7-8-1998.

[No. L-22012/122/93-IR (C-II)]

B. M. DAVID, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, ASANSOL

Reference No. 39/93

PRESENT :

Shri R. S. Mishra, Presiding Officer.

PARTIES :

Employers in relation to the management of Gourandi (R) Colliery of M/s. E.C. Ltd.,

AND

Their Workman.

APPEARANCES :

For the Employer—None.

For the Workman—Shri N. Ganguly, Advocate.

INDUSTRY : Coal

STATE : West Bengal

Dated, the 29th July, 1998

AWARD

The Government of India, in the Ministry of Labour in exercise of the powers conferred on them by clause (d) of sub-section (1) and sub-section (2-A) of Section 10 of the Industrial Disputes Act, 1947, has referred the following dispute to this Tribunal for adjudication vide Ministry's Order No. L-22012/122/93-IR (C-II) dated 23-8-93:

"Whether the action of the management of Gourandi (R) Colliery of M/s. E.C. Ltd., in not regularising Shri Puna Nunia, General Mazdoor to the post of pit clerk from 1983 and also depriving him of the difference of wages of clerical grade as per NCWA as legal and justified? If not, to what relief the concerned workman is entitled to?"

2. The union's demand is that although the concerned workman has been deployed to work as pit clerk/Munshi in clerical grade II since 1983, he has not been regularised in that level in spite of performance of such duty continuously.

3. The management has been set ex parte vide order dated 5-3-97, because in spite of so many adjournments for filing W.S., the same was not filed and because advocate of the management kept silent in the matter.

4. The union filed an affidavit by the concerned workman that he has been deployed to work as Pit Munshi/Clerk

in clerical grade II since 1983. It is further mentioned in the affidavit that he got fitment in this grade only in 1993.

5. In view of the unchallenged version of the union that the workman had been deployed as Pit Munshi/Clerk since 1983, he should have been regularised against that post since 1983 instead of 1993. Pit Munshi actually comes under Grade III. So his fitment as Pit Munshi from 1983 till 1993 should be in Grade III.

6. The reference is disposed of ex parte against the management. The concerned workman named Puna Nunia working in Gourandi Colliery be regularised as Pit Munshi/Clerk in clerical Gr. III, since 1983 with due seniority upto 1993, and since 1993 his fitment in Grade II if already made may be honoured. No back wages.

Award accordingly.

R. S. MISHRA, Presiding Officer

नई दिल्ली, 12 अगस्त, 1998

का.प्रा. 1762.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मै. प्रायल हंडिया लि. के प्रबन्धतंत्र से संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबन्ध में निविष्ट औद्योगिक विवाद में औद्योगिक अधिकरण गुवाहाटी के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 12-8-98 को प्राप्त हुआ था।

[संख्या एल-42011/7/91-आई.आर. (विविध)]

आईआर(सी-I)]

अजय कुमार, अनुभाग अधिकारी

New Delhi, the 12th August, 1998

S.O. 1762.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Government hereby publishes the award of the Central Industrial Tribunal, Guwahati as shown in the Annexure in the industrial dispute between the employers in relation to the management of M/s. Oil India Ltd. and their workman, which was received by the Central Government on 12-8-98.

[No. L-42011/7/91-IR(Misc.)/IR(C-I)]
AJAY KUMAR, Section Officer

ANNEXURE

IN THE INDUSTRIAL TRIBUNAL, GUWAHATI.

ASSAM

(CASE NO. 6(C) OF 1995)

PRESENT :

Shri D. Hazarika, M.A., LL.B., Presiding Officer Industrial Tribunal, Guwahati.

In the matter of an Industrial Dispute

AND

In the matter of an application under section 33-A of the Industrial Dispute Act, 1947

BETWEEN

The Assam Petroleum Mazdoor Union, Oil India Ltd.,
Pipelines Workers Unit, Guwahati.

Complainant/Applicant.

Versus

(1) The Management of Oil India Ltd., Duliajan.

(2) The Management of Oil India Ltd. Pipeline Division, Guwahati
Opposite parties.

APPEARANCES :

Mr. Suren Sarmah, Advocate—For the Management.

Mr. Kamalleswar Barman, Union Representative—For the
Workman

AWARD

1. This is a complaint, under Section 33-A of the Industrial Disputes Act, 1947 (Herein after called the Act) made by Shri Phaniadra Kumar Medhi the then President, Assam Petroleum Mazdoor Union, Pipeline Head Quarter Unit Guwahati, for and on behalf of the workman of Oil India Ltd., Shri Khargeswar Das, directed against the impugned transfer order No. CMM/18/63 dt. 12-4-1993 of the Management Oil India Ltd., Duliajan/Pipeline Division, Guwahati, alleging that opposite parties were guilty of a contravention of the provisions of Section 33 of the Industrial Disputes Act, 1947.

2. According to the complaint the workman of Oil India Ltd., Shri Khargeswar Das, was engaged in Material department under Oil India Ltd., Pipeline Division, Guwahati. There, Shri Khargeswar Das was allotted company's quarter No. A-8, Noonmati Pipeline Head Quarter. Accordingly he alongwith his family availed company's quarter facilities including Medical facilities with all amenities provided to all employees by the said establishment. The workman, Shri Khargeswar Das, was Organising Secretary in Pipeline Head Quarter Unit, Noonmati. He took active part to organise union at Noonmati Pipeline Head Quarter. The management, with its impugned order, transferred, Shri Khargeswar Das from Noonmati to Duliajan in the same establishment in a mala fide manner as he organised Trade Union at Pipeline Head Quarter Unit, Guwahati as the management neither allotted company's quarter to him nor house rent allowance paid to him as paid to other workman of the establishment. Rather management made penal deduction from him without authority. In spite of Shri Das's request, several times, not to transfer him to Duliajan from Noonmati, he was transferred to Duliajan and at the interference of their recognised Indian Oil Workers Union, Shri Das was forced to join there. A referred Case No. 11 (c) 92, in the matter of replacing the ambulance service from departmental service to contractual service was pending in this Tribunal. Shri Das was/is connected with the said referred Case No. 11(c) 92 as he alongwith his family members availed company's ambulance facilities in the said quarter No. A-8. The management of said establishment had/has issued a notice, Vide Ref. No. OIL/PL/EVC/007 dated 13-11-95, to evict Shri Khargeswar Das, 9/8385 from his allotted quarter No. A-8, Noonmati P.H.Q. by changing his service condition during the pendency of the referred case which is prejudice to Shri Das. If Shri Khargeswar Das is evicted from the Company's allotted quarter, without providing with company's quarter to him, then he and his family members will be deprived from all the facilities provided to him, which is a service condition of the workman of the establishment. Hence, the prayer of the complainant for the workman to make order/orders to set aside the company's notice and to make further order to provide all facilities to the workman (Khargeswar Das) which had/have been provided to him, as before.

3. Management/opposite side filed an objection on 30-1-96 Section 33-A, filed by the workman side. On 22-2-96 regarding maintainability of the complaint/application, under complaint/workman side filed rejoinder to the Management's statement. Further, workman side filed a written argument on 20-3-96 against the objection filed by management side as regards maintainability of the complaint/application filed by the workman side. On the same day (20-3-96), my predecessor, the learned Presiding Officer of this Tribunal, passed an elaborate order deciding the issue/point of maintainability in favour of the complaint/workman side and fixed date for hearing the complaint/application on merit. Management/Opp. did not challenge the above order of my predecessor and proceeded the case for hearing on merit only, although the learned counsel of the management/Opp. Mr. S. Sarmah, opined the said order of my predecessor as not legal contending that now also this Hon'ble Tribunal can review the order while it decides the case on merit. Mr. S. Sarmah, the learned counsel for the management, further contended that since the Hon'ble Apex Court already decided in a case to the effect that management side should not challenge an inter-locutory order, decided by a Tribunal/Court in favour of the workman side, he did not challenge the above order of my learned predecessor in inter-locutory stage.

4. According to written statement of the opposite parties/management side, application/complaint, under Section 33-A

of the Industrial Disputes Act, 1947, is not maintainable as the complainant could not show violation of any of the provisions of Section 33 of the Act. Opposite parties are not guilty of contravention of the provisions of Section 33 of the Act. The workman, Sri Khargeswar Das was initially appointed on 16-8-83 in Mazdoor Grade-I category at Duliajan. Subsequently he was promoted to General clerk with posting at Duliajan. The workman was transferred from Duliajan to pipe line Division at Noonmati by order dated 27-11-89 and joined at Noonmati on 11-12-89. Due to exigencies of work the workman was transferred from Noonmati to Duliajan vide order dated 22-3-91. At the request of the workman, the said order was deferred. Thereafter on 12-4-93 the workman was transferred to Duliajan. He was advised to report at Duliajan on 15-5-93. After receiving the order the workman requested for extension of time thrice which was also granted. Finally the workman was advised to report at Duliajan on 1-7-93. Again the workman requested for 60 days leave. As only 25 days leave was due to his credit, the workman was granted 25 days leave with pay and 35 days leave without pay and he was advised to report at Duliajan on 30-8-93. But in the meantime the workman filed a writ application before the Hon'ble Gauhati High Court which was numbered as Civil Rule No. 1338/93. The Hon'ble High Court dismissed the said writ petition vide order dated 26-5-93. Against the judgement of the single judge the workman preferred a writ appeal before the Hon'ble Gauhati High Court which was registered as writ appeal No. 83/93. The said writ appeal was also dismissed by the Hon'ble High Court vide its judgement and order dated 7-6-93. Thereafter the workman again prayed for extension of time to join at Duliajan which was also granted to him with a advise to report at Duliajan on 1-10-93. The workman took an advance of Rs. 2,500 (Rupees two thousand and five hundred only) towards his permanent transfer from Noonmati to Duliajan on 30-9-93 and thereafter he joined at Duliajan on 1-10-93. After joining in the material department at Noonmati on 11-12-89, the workman applied for allotment of a quarter at Noonmati as per the 'Housing Rules' of the company. The workman became entitled for quarter in the month of October, 1990. Accordingly he was allotted the quarter No. A-8 on his signing the undertaking as required under the Rule on 21-10-90. As per terms and conditions of allotment of a Quarter, the workman is to abide by the 'Housing Rules' and to vacate the quarter on receipt of notice from Industrial Relations Manager of the company. As per Housing Rules, an employee is bound to vacate his quarter when he is permanently transferred to any other place. The procedure of allotment of 'quarter' is governed by the 'Housing Rules' of the company and any workman, who is transferred to another sphere of the company's activities he has to apply for allotment of 'quarter' as per procedure laid down in the 'Housing Rules'. As per 'Housing Rules' if an employee does not vacate the quarter after receipt of notice from the Industrial Manager or from his staff, is liable to pay penal rent along with usual Rent. If an employee retains a quarter without authority even after receipt of notice to vacate the quarter he is not entitled to get any quarter in his transferred place or house rent allowance. Regarding 'allotment of quarter', the workman filed writ application before the Hon'ble Guwahati High Court and also filed civil Suit T.S. No. 249/1994 in the court of learned Munsiff, Guwahati. Initially court of the learned Munsiff granted an injunction not to evict him from the quarter, Noonmati. But it vacated the injunction subsequently. The workman side preferred appeal in the court of Asst. District Judge, Guwahati. But the appellate court dismissed the appeal. Munsiff dismissed the title suit too filed by workman. Although the workman side filed various civil suits, writ petitions etc. before various courts, it suppressed these facts in this complaint before this Tribunal. In the civil suit, appeal and writ petitions also workman side suppressed the facts of filing his complaint before this Tribunal. The workman side knew that the allegation of contravention of provisions, under section 33 of Industrial Disputes Act, raised in this complaint had/has already been decided by the Hon'ble Gauhati High Court. But suppressing these facts complaint filed this present complaint. The Management begs to submit that the issues raised in the present complaint being already adjudicated by a superior court, the same can not be adjudicated by his Tribunal afresh in view of provisions of res-judicata. Although initially the workman was transferred from Noonmati to Duliajan vide order dated 22-3-91, but at his request, his transfer order was deferred, and on 1-10-93,

that is, almost after two and half years of the initial transfer order, the workman joined in his transferred post at Duliagan. The workman was not transferred at the interference of any other union. In Reference Case No. 11(C)92, Award was passed on 23-8-95. It was published on 8-9-95 and it reached finality on 8-10-95. Accordingly this Tribunal has become functio—Officio in respect of Ref. Case No. 11(C) 92 after 8-10-95. The workman is no way connected with the referred Case No. 11(C)92 as the company has never withdrawn the ambulance facilities to its employees at Noonmati. The said reference was only in respect of whether the ambulance service should be maintained by the regular employees or by contractual employees. The workman and his family members were only entitled for ambulance service provided by the management which was never denied to him (workman). The estate officer, under the public premises (Eviction of unauthorised occupants) Act, 1971 has issued eviction notice as the workman himself prayed for a declaration in T.S. 249/94 that he cannot be evicted from the quarter without resorting to the procedure laid down under public premises (Eviction of unauthorised occupants) Act, 1971. The said 'eviction notice' was issued after the Award, passed in Reference Case No. 11(C)92, and reached its finality. Accordingly eviction 'notice' or the order was not passed during the pendency of the referred case. As such, neither the union nor the workman can claim changing of his service conditions during the pendency of the said referred case. Consequently as per provision of the Section 33-A of the Act the present complaint petition is not maintainable for which it is liable to be dismissed. Further, against the eviction order/notice of the estate officer, the workman preferred an appeal before the learned District Judge at Gauhati which was numbered as Misc. Appeal No. 68/95. The learned District Judge, after hearing the parties, had dismissed the appeal of the workman vide order dt. 30-4-96. Against the said order of the learned District Judge, the workman preferred a writ application before the Hon'ble Gauhati High Court which was registered as Civil Rule No. 2489/96. The Hon'ble Gauhati High Court vide its judgement and order dated 31-5-96 upheld the order of the learned District Judge. Since the workman was already evicted from his allotted quarter after judgement and order passed by the learned District Judge, which was upheld by the Hon'ble High Court, and when subsequently in the writ Appeal, the Hon'ble High Court has observed that the workman will be entitled for quarter in accordance with the guidelines laid down by the company, the para No. 9 of the complaint petition has no relevancy in this case. Management denied that providing with company quarter is a service condition to any workman. The prayers made in the complaint petition have already been become infructuous since the workman was already evicted from his quarter. Notice of eviction issued by the estate officer under public premises (Eviction of unauthorised occupants) Act, 1991 cannot be challenged in this tribunal. As the workman side filed this complaint suppressing all material facts, they have not come with clean hand. The prayer made in the complaint can not be a subject matter of an application under section 33-A of the Industrial Disputes Act, as the same is governed by the provisions of public premises (Eviction of unauthorised occupants) Act, 1971. The allegations raised on the complaint petition have already been adjudicated by various courts. As such the same issues cannot be adjudicated again afresh as these are barred by the principles of res-judicata.

5. In order to prove its case, under section 33A of the Industrial Disputes Act, 1947, the Union Complaint/side has to prove the following points :

- (1) That Sri Khargeswar Das is a 'workman' under section 2(S) of the Act.
- (2) That he (Sri Khargeswar Das) as a 'workman' is concerned and/or connected in the pending dispute.
- (3) That he is aggrieved of the alleged contravention of the Section 33 of the Act by the employer/Management side.

6. Union/complainant/workman side, in support of its case produced and examined 2(two) witnesses and during the course of their evidence, it (union/complainant) exhibited and proved as many as 16 documents, marked as exhibits 1 to 16. On the other hand, the management/opposite parties in support of their case produced and examined 1(one) witness only and during the course his evidence they exhibited and proved as many as 30 documents marked as exhibits A to A(D). Now let me discuss the evidence on record as under,

how far, union/complaint side has succeeded to prove its case.

U.W. 1. (C.W. 1) is Sri Khargeswar Das, the workman himself. He inter-alia deposed in chief that before his transfer he was working as office Asst. in Oil India Pipeline Division. Then he was an organising Secy. of Assam Petroleum Mazdoor, Pipeline Unit. At that time Bhagendra Chaudhury was Secy. of Indian Oil Worker's Union. He was giving pressure to authority to transfer him. Further, he rebuked him by going to his flice (U.W. 1's office). President of his union wrote a letter to the authority of Oil India Ltd. about the above matter. But the authority did not respond at all. Rather, he was transferred to Duliagan. Ext. 3 is the transfer order. At the time of his transfer to Duliagan Reference Case No. 11(C)92 was pending in this Tribunal. He was transferred from Duliagan to Guwahati by authority enabling him for study in higher education considering his appeal. He joined at Duliagan on transfer on 1-10-1993. But he was neither allotted quarter nor paid due house rent at Duliagan on transfer. He (workman) applied to the authority for allowing his family to stay in his quarter in Guwahati. But authority refused. Rather the authority deducted penal house rent at market rate i.e. Rs. 1100 per month along with his normal house rent. Authority evicted him from his quarter at Noonmati on 20-5-96. Authority served a letter on him to vacate his quarter by Ext. 6. Previously also authority served another letter on him to vacate his said quarter by Ext. 7. As the authority neither allotted quarter for him nor paid house rent at Duliagan, he did not vacate the quarter. Thereafter eviction notice was served on him on 21-8-95 by Ext. 8. He was protected workman at Duliagan also. Authority declared him as protected workman by Ext. 10. Administration of Oil India Ltd. had/has been running according to the standing order by Ext. 11(under objection). As a result of his transfer from Guwahati to Duliagan he and his family members were deprived from all the facilities including medical facilities which they enjoyed at Guwahati for which he had filed this case stating that his service conditions were changed. In cross-examination he, the workman (U.W. 1) inter-alia deposed that on 16-8-93 he joined in his service at Duliagan. Transfer is a condition of service in Oil India. As Guwahati is nearer to his home and for the interest of his education also he applied for transfer to Guwahati. He joined in Guwahati on 11-12-89. Course of study of master degree is 2 years only. Bhagendra Chaudhury was stenographer, who was Joint Secretary of Oil India Worker's Union Authority takes the decision of transfer, but not by a stenographer. The union files the complaint of this case as he gave an application to it. He (workman) applied 'thrice' for stay of his transfer order to Duliagan and authority (Management) also gave extensions of his stay order 'thrice'. But thereafter, after the expiry of his leave only, he joined at Duliagan on 1-10-93. It is not a fact that he stated that authority again transferred him on 1-7-1993. He filed a writ petition on 26-5-93, which was numbered as Civil Rule No. 1388/93, challenging his previous transfer order. Ext. A is the copy of the judgement and order of the Hon'ble High Court. Thereafter he filed writ appeal being No. 83/93 before the Hon'ble High Court. He mentioned the name of Bhagendra Choudhury in his writ petition filed before the Hon'ble High Court. But the Hon'ble High Court in its order opined his (workman's) transfer as justified by Ext. 'B', the certified copy of judgement of the Hon'ble High Court. He filed T.S. No. 249/94 in the Court of Munsiff for not to evict him from his quarter. After getting the copy of order of the Hon'ble High Court, Munsiff vacated his injunction order and dismissed his suit. He on 31-9-96 received the advance of his transfer T.A. by ext. 'D' payment voucher. At present there are 9000 employees in Oil India. Out of them only 60 per cent employees got quarter and rest 40 per cent did not get quarter. The oil company has a 'Housing Rule' by Ext. 'E'. In the 1st time of his service at Duliagan, he did not get quarter. After coming to Narengi also after about 2 months only, he got quarter. He gave an undertaking to the effect that on transfer he would vacate his quarter. If on transfer one did/does not vacate his quarter, he has/had to pay penal rent vide circular of the authority by Ext. 'H'. He was served notice to vacate quarter occupied at Noonmati. According to 'Housing Rule' also on transfer an officer had/has to vacate his quarter. As he did not vacate quarter on transfer penal house rent was realised from him. After vacating injunction order also by Munsiff he did not vacate his quarter. He (workman) did not mention in this complaint under section 33-A of the Act

about his cases filed by himself before Munsiff Court, District Courts and before the Hon'ble High Court too about the vacation of his quarter. He did not sign this complaint too. As he himself filed those cases, he did not mention the fact of filing of them in this complaint under section 33-A of the Act, filed by union only. He filed the suit before the Munsiff Court seeking/praying for order restraining deduction of penal rent from him. But Munsiff Court rejected his prayer. After vacating of injunction order by Munsiff Court although he preferred appeal in the court of Asst. District Judge, it was not allowed. As civil courts and High Court did not grant relief sought by him, union filed this case in this Tribunal for violating his (workman's) service conditions.

U.W. 2 is Shri Phanindia Kumar Medhi, the complaint of this case. He inter alia deposed that he was a president of Assam Petroleum Mazdoor Union. There were two unions in Oil India Ltd. namely Indian Oil Workers' Union and Assam Petroleum Mazdoor Union, Indian Oil Workers' Union was recognised by the authority. Shri Khargeswar Das (workman) was organising secretary of Pipeline Division, Assam Petroleum Mazdoor Union. One day while Khargeswar Das was busy in membership drive, Shri Bhaigendra Choudhury, the then Joint Secretary of Indian Oil Workers' Union rebuted and threatened Khargeswar Das to transfer him to Duliajan provided he worked in membership drive for Assam Petroleum Mazdoor Union. It was informed to the authority. But it did not respond. Rather one day they found that Khargeswar Das was suddenly transferred to Duliajan. They appealed to the authority to cancel the transfer order. But the authority did not care to hear them. So Khargeswar joined at Duliajan. At Duliajan Khargeswar was neither allotted quarter nor paid due house rent allowance. While he was at Narangi he got quarter, and in that quarter he kept his family during the time of his working at Duliajan. But for that authority realised penal rent from him and thereafter he (Khargeswar Das) and his family were evicted from that quarter. While Khargeswar Das (workman) and his family were in quarter they got all the amenities and facilities. But at Duliajan while he was residing outside without quarter, he did not get any facility. A quarter is allotted to an employee on seniority basis only. The rule of vacation of quarters on transfer of officers is not seen applicable to all as some persons for instance, Ananta Deka, Rama Dutta etc. had/has been occupying their quarters after their transfer even to other stations/places. Neither penal rent realised from them nor evicted them from their quarters. He filed this case as the president of Assam Petroleum Mazdoor Union, Duliajan authorised union by his letter, Ext. 12. Shri Khargeswar Das (workman) also authorised him to file this case by his letter Ext. 16. In cross examination this witness (U.W. 2) inter alia deposed that he could not remember whether Khargeswar Das had filed his authority letter or not authorising him to file this complaint, at the time of filing this complaint. No document is filed in this case showing to the effect that Khargeswar Das was selected as organising secretary. He did not know about the cases, filed by Khargeswar Das, at the time of his transfer to Duliajan. No paper has been filed in this case given by Khargeswar Das relating to his transfer in question. Membership drive can not be carried on during the office hours. For carrying membership drive, during the office hours by Khargeswar Das, the authority did not take any action against him. At first Khargeswar Das was transferred. He applied for extension of time. He could not remember if Khargeswar applied for extension of time thrice and thrice and his prayer for extension was allowed by authority. As authority did not inform them anything, they thought that it (authority) did not consider their prayer. He did not know if there is any guideline in public sector undertaking relating to time for waiting to get a quarter. He did not know relating to provisions under Section 33(2)(C) of the I. D. Act. Khargeswar Das did not file any petition under Section 33(2)(C) of I. D. Act for getting house rent allowance informing that he did not get it (House Rent Allowance). There is a 'Housing Rule' for allotting a quarter and according to that rule only quarters are allotted. At the time of getting a quarter an officer has to give an undertaking. He did not know if Khargeswar Das gave any undertaking at the time of taking his quarter. Ananta Deka vacated his quarter as he was transferred. He did not know at what rate penal rent was realised from Ananta Deka. He did not know at what rate penal rent was realised from Rama Dutta and Gopal Kalita. He did not know if legal notice

was served on Ananta Deka to vacate his quarter. He did not know if Award of the case No. 11(C) 92 was passed by this court on 23-8-95 and he did not know if the Central Government published the Award of that case on 8-9-95. He did not know if referred Case No. 11(C) 92 was not pending in this Tribunal on 13-11-95 as mentioned by him in the para No. 8 of his complaint. To review the award of that case they filed petition. But as the court dismissed the review petition/writ petition was filed before the Hon'ble High Court. But that writ petition was also rejected by the Hon'ble High Court. He did not know if rule for deduction of penal rent and eviction from quarter are found under Housing Rules.

MW-1 (Opp. W-1) was Sri Mulabya Mohan Majumdar. He was working as Industrial Relation Manager, Oil India, Duliajan. He inter alia deposed that he knew Sri Khargeswar Das, the workman of the case. At first he was working at Duliajan. At his request he was transferred to Guwahati from Duliajan in the year 1989 as he wanted to prosecute higher study. The employees get quarters on the basis of seniority according to 'Housing Rules'. In this case also the employee concerned had/has to apply for quarter. As Khargeswar Das applied for quarter he got quarter in Guwahati after one year of joining here. If an employee gets quarter he had/has to give undertaking. Ext. G is the undertaking given by the workman. After transfer an employee has to vacate his quarter which is mentioned in 'Housing Rules' and 'undertaking'. As per Ext. 'H' circular, if an employee does not vacate his quarter on transfer penal rent, at market rate, is realised from him. Sri Khargeswar Das was transferred to Duliajan from Guwahati in the year 1991. But he applied for extension for which extension was allowed to him. Again he was transferred to Duliajan in the year 1993. This time also as he (workman) applied for extension this time also his prayer for extension was allowed. In this way the workman was allowed extension for 2/3 times. He applied for leave and leave was also granted to him. After this also he did not go to join at Duliajan, but filed writ petition at Hon'ble High Court. However Hon'ble High Court rejected his prayer by Ext. 'A'. After this the workman filed writ appeal. Hon'ble High Court rejected/dissmissed his writ appeal also by Ext. 'B'. After this also instead of joining at Duliajan, workman filed case in Munsiff Court and got temporary injunction by 2(1), photocopy of injunction order. After rejection of prayer of workman by Hon'ble High Court, he again prayed for extension where also the authority allowed his prayer for extension again. On 1-10-93 the workman joined at Duliajan. Although the workman had to leave his quarter after joining at Duliajan. But he did not vacate his quarter. So notice was served on him informing to the effect that if he did not vacate the quarter penal rent would be realised from him. After this also another notice was served on the workman to vacate his quarter as he did not vacate the same after receiving earlier letter/notice. It was informed to him that if he did not vacate the quarter he would be evicted from the quarter according to the provisions of appropriate law. When workman was informed that if he fails to vacate the quarter penal rent would be realised from him, this time he went to Munsiff Court and obtained temporary injunction. When management filed objection. Munsiff Court vacated injunction. Thereafter the workman preferred appeal against the order of Munsiff. His appeal was also dismissed. Thereafter case was handed over to Estate Officer for eviction of the workman from his quarter according to the provisions of Public Premises Eviction Act. Estate Officer served notice on the workman according to provisions of that Act by Ext. 'Z'. Khargeswar Das filed objection before the Estate Officer. After going through the objections, of the workman the Estate Officer passed his final order. He filed appeal before the District Judge, Guwahati against the order of the Estate Officer. The appellate Court dismissed his appeal on 30-4-96 Ext. Z(2) is the copy of the Judgment. Against this order, the workman again filed his writ petition before the Hon'ble High Court. On 30-5-96 the Hon'ble High Court dismissed the writ petition of the workman by Ext. 'K'. On that day, High Court in its order observed to the effect that the authority would provide quarter to the workman within one month. So, the management filed writ appeal against that order before the Hon'ble High Court. On 8-7-96 the Hon'ble High Court by its order set aside the above order of the single bench and ordered to provide quarter to the workman according to 'Housing Rule' only by Ext. 'E'. In this order Hon'ble High Court gave obser-

vation. All the normal rents, realised on mistake from the workman, along with penal rent, was refunded to him subsequently. Award of the Ref. No. 11(C) 92 was passed on 23-8-95 and said award was published on 8-9-95. Sri Khargeswar Das, on the basis of eviction notice dated 13-11-95 filed complaint under Section 33-A of I. D. Act. But he did not put his signature on the petition. Khargeswar Das was transferred on the basis of service condition. By transferring Sri Khargeswar Das and evicting him from quarter neither his service condition changed nor violated provisions of the Industrial Disputes Act. Relating to his had/has already decided. Khargeswar Das never mentioned had/has already decided. Khargeswar Das never mentioned in his complaint about filing of his cases in other Courts. He filed application for quarter at Duliajan and his name is in the penal. On 1-10-93 Khargeswar joined at Duliajan. At his joining no quarter was allotted to him. Because, he can not get quarter according to 'Housing Rules'. He could not say whether the case, under Section 33-A, was pending or not at the time of eviction of the workman. He did not know whether Khargeswar Das was protected workman or not. According to Exr. 16 Khargeswar Das protected workman. For evicting Khargeswar Das no permission was taken from Court. As normal rent was wrongly deducted, it was returned to Khargeswar subsequently 'Quarter' was allotted on seniority basis only.

7. Mr. Kamaleswar Borman, the learned Union Representative, appearing for the workman, inter alia contended/argued that as the management transferred the workman, Shri Khargeswar Das, from Guwahati to Duliajan, during the pendency of the reference/case No. 11(C)/92 before this Tribunal, this complaint case No. 6(C)/95, under Section 33-A of Industrial Disputes Act arises, since it (transfer of the workman), vide Ext. 3, changed the conditions of service of the workman. On the point of maintainability of this case (Case No. 6(C)/95) vide the order of this Tribunal dated 20-3-96, in order sheets of this case already held that this case is maintainable. According to the standing order of the management a workman is liable to be transferred from one place to another due to exigencies of work only. But transfer of this workman of this case, Shri Khargeswar Das, is malafide but not due to exigencies of work as he was transferred to Duliajan from Guwahati at instance and interference of rival union (Indian Oil Worker's Union) only. At the time of transfer of this workman, he was protected workman by Ext. 2. Management did not transfer the workman after taking permission of this Tribunal provided under Section 33 of the Industrial Dispute Act. Eviction notice (Ext. 8) dated 21-8-95 contravened the provisions of Section 33 of this Act, since referred Case No. 11(C)/92 was then pending. According to the Article 226-A of the constitution of India the High Court shall not consider the constitutional validity of any central law in any proceeding under Article 226 of the said constitution.

8. The learned counsel, representing the management side, Mr. S. Sarmah inter alia contended/argued that the workman is not a protected workman when the union representing the workman side itself admittedly not recognised by the authority/management. The learned representative of the workman side since not placed the entire facts in his arguments before this Tribunal no relief claimed by the workman, in his application/complaint under Section 33-A of the Act, can be awarded to him. This 'Notice' (Annexure 3 of the application) under Section 5 of the public premises (Eviction of unauthorised occupants) Act, 1971 can not be interfered by any Court except in appeal only in the Court of District Judge. Appeal was filed before the learned District Judge, Kamrup challenging 'notice', Annexure 3 by the workman himself (Khargeswar Das). But the Hon'ble District Judge, Kamrup, by its judgement and order by Ext. 'J' dismissed his (workman's) appeal against the eviction 'notice' (Annexure 3). This complaint was not filed by the workman himself, but by the union only. Union can file the complaint, under Section 33-A of the Industrial Disputes Act, 1947, if authorised by the workman himself. But the workman of this case did not authorise himself to file this complaint. When the workman himself lost his appeal before the District Judge, Kamrup, he preferred appeal before the Hon'ble High Court against the judgement of the District Judge Ext. 'AA' is the entire appeal petition filed before the Hon'ble High Court. The Ext. 'S' and 'T' are the applications of the workman for transfer to Guwahati Pipeline Headquarters, Narangi, from Duliajan. Getting quarter is

not a condition of service. The Ext. 'A' is the first judgement of the Hon'ble Gauhati High Court by single bench on the point of transfer of the workman to Duliajan and Ext. 'B' is the judgement of Division Bench of Hon'ble Gauhati High Court. The Ext. 'C' is the copy of injunction petition, Ext. 'D' is the photocopy of the order of transfer advance to the workman on his transfer to Duliajan. Ext. U(1) is the copy of injunction order of Munsiff Court. By Ext. 'R' Munsiff vacated injunction. Workman preferred Appeal in the court of Asstt. District Judge against that order of Munsiff. But Asstt. District Judge dismissed his said Appeal too. Award of the referred Case No. 11(C)/92 was passed on 23-8-95. Central Government published it on 8-9-95 which reached its finality on 8-10-95. Reference No. 11(C)/92 was not pending in this Tribunal on 13-11-95, when 'Notice' for eviction (Annexure 3) was issued to and served on the workman or on 28-11-98 this case was filed. Trade Union Act or Labour Act is labour/workman oriented. But he must do his duty. He is not allowed to do trade union work during the official hours. In support of the case of the management, its learned counsel, Mr. S. Sarmah cited and relied the following case laws—

A. (1977) Supreme Court Cases 350—

The Bhavnagar Municipality . . . Appellant.
Vs.

Alibhai Karimbhai and others . . . Respondents.
In the above case the Hon'ble Apex Court held :

In order to attract Section 33(1)(a), the following features must be present :

- (1) There is a proceeding in respect of an Industrial Dispute pending before the Tribunal.
- (2) Conditions of service of the workman applicable immediately before the commencement of the Tribunal proceeding, are altered.
- (3) The 'alteration' of the conditions of service is in regard to a matter connected with the pending industrial dispute.
- (4) The workman whose conditions of service are altered are 'concerned' in the pending dispute.
- (5) The alteration of conditions of service is to the prejudice of the workman.

It is well settled that a complaint under Section 33-A is maintainable only if the employer contravenes Section 33 of the Act.

B. Before the Labour Appellate Tribunal of India.

M.M. Nagalinga Nadar, Alleppey.

AND

Its workers.

Industrial Disputes Act, S. 33-A. procedure—Application must be by the aggrieved workman or by the union on his authority-application filed by the union without proof of any authority to it by the concerned workman—Application held not maintainable. Under Section 33-A of the Industrial Disputes Act a complaint must be made by aggrieved workman in writing or by the union if authorised by the aggrieved workman to make a complaint on his behalf (Vide 1953 L.A.C. 22=1952—11 L.L.J. 642).

So, where such application was not filed by the aggrieved workman but by the union and it did not appear even from the evidence of some of the concerned workman that they authorised the union to make such complaint on their behalf, it was held that such complaint is not maintainable.

C. (1993) 1 Supreme Court Cases 148

Rajendra RoyAppellant.

—Vs.—

Union of India and another . . . Respondents.

Civil Appeal No. 4866 of 1992, decided on November 17, 1992.

Service law—Transfer of employee 'Malafides'—Inference of, must be based on firm foundation of facts pleaded and

established and not merely on insinuations and vague allegations—when post is transferable, held, challenge to transfer on the basis of some vague allegations of 'malafides' not sustainable. On behalf of the respondents it was stated that the transfer order was passed in the exigencies of the service etc.

D. In the High Court of Calcutta.

Mahabir Das Appellant.

AND

U.C.O. Bank.

Transfer—U.C.O. Bank (Officers) Service Regulations, 1979—Reg. 47—Transfer—Trade Union leaders can not claim any immunity from transfer—Trade Union activities are to be performed beyond office hours. Held : when under the statutory rules an officer is transferred, in that event merely on the ground that the employee happens to be a trade union leader could not be transferred would be contrary to be interest of an organisation, Trade Union leader can not claim any preferential treatment and/or any immunity from transfer when transfer is a condition of service and in this regard no discrimination could not be made between an employee who is a trade union leader and an employee who is not a trade union leader. Under our constitution, an employee has trade union rights subject to conditions and restrictions. Trade Union activities are not to be performed during office hours in as much as an employee is paid by public exchequer for his official duty and not for his trade union activities. Trade union activities are to be performed beyond office hours. It is well settled that unless it could be established that an order of transfer is on the face of it 'malafide', and is not in the interest of the administration and/or it is violative of any of the rules or the like, the validity of the order can not be challenged on any other ground.

9. According to this present/instant complaint of the workman side, filed under section 33-A of the Industrial Disputes Act, 1947, numbered as case No. 6(C) 95, the management/opposite parties had/have been guilty of a contravention of the provisions of section 33 of the said Act. It is well settled that a complaint under Section 33-A is maintainable only if the employer contravenes Section 33 of the Act. The workman/union side, in para No. 8 of the complaint/application under Section 33-A of the Act, averred that the management had issued a 'Notice', vide their Ref. No. OIL/PL/EVC/007 dated 13-11-95, to evict Sri Khargeswar Das (workman), 9/8385, from his allotted quarter No. A-8, Noonmati PHQ, by changing his service conditions, during the pendency of the said referred Case No. 11(C)/92 which is prejudice to Sri K. Das (workman). Union/workman, in para No. 9 of the said complaint/application inter alia averred that Sri Das (workman) and his family members will be deprived from all the facilities provided to them if he is evicted from the company's allotted 'quarter', without providing with company's 'quarter' to him, 'which is a service condition of the workman.' Union/workman side contended/argued that management 'by transferring' the workman, Shri K. Das, from Guwahati to Duliajan, vide Ext. 3, transfer order, changed his conditions of service. In other words, the case of the union is that as the management 'transferred' the workman, Shri K. Das, from Guwahati to Duliajan, vide Ext. 3, the transfer order, whereas at Duliajan as he was not provided with a 'quarter', which is a service condition, and on the other hand, as the management issued that 'eviction notice', vide Ext. 1 dated 13-11-98, on the workman (Shri K. Das) during the pendency of the Ref. Case No. 11(C)/92, without the express permission in writing of this Tribunal, his service conditions changed and thereby the employer/management contravenes the provisions Section 33 of the Act. That means, according to the case of the union side/workman, allotment of a 'quarter' is a service condition and the transfer of the workman to Duliajan from Guwahati, without allotting a 'quarter' there at Duliajan, and also 'eviction notice' on him (workman) to vacate from his allotted 'Quarter' at Narangi of Guwahati, are chances of service conditions of the workman for which contravention of Section 33 of the Act arises. Hence, the instant complaint, under Section 33-A of the Act, by the union of the workman claiming further that the said workman is a 'protected workman.'

10. In order to attract Section 33(1)(a) and (3)(a) of the Industrial Disputes Act, 1947, the following features must be present according to the decision of the Hon'ble Apex Court, as relied by the learned counsel of the management side, already mentioned above :

- (1) There is a 'proceeding' in respect of an industrial dispute pending before the Tribunal.
- (2) 'Conditions of service of the workmen/workman applicable immediately before the commencement of the Tribunal proceeding, are altered.
- (3) The 'alteration' of the conditions of service is in regard to a matter connected with the pending Industrial Dispute.
- (4) The 'workman' whose conditions of service are altered is 'concerned' in the pending Industrial Dispute.
- (5) The alteration of the conditions of service is to the prejudice of the workman.

Feature (Issue) No. (1)—It is gathered from the pleadings of the parties and evidence on record that at the time of transfer of the workman, vide order by Ext. 3 dated 12-4-93, from Guwahati to Duliajan, the proceeding in question, Reference Case No. 11(C)/92, was pending before this Tribunal. But, according to the case and evidence of the management side the workman was initially transferred to Duliajan on '22-3-91'. In this connection although it (Management-Opp.) fails to exhibit/prove the order of transfer in 1991, the workman, Sri Khargeswar Das, himself (UW-1) while admitted, the fact of his transfer to Duliajan in the year 1991 initially the non production of said transfer order perse can not discredit the merit of the case of management as regards the transfer of the workman in the year 1991 initially. Now fact remains that while the proceeding in question [Ref. Case No. 11(C)/92] itself was of the year 1992, it is established fact and beyond doubt that at the time of initial transfer order of the workman to Duliajan from Guwahati in the year 1991, the said referred case in question [Ref. Case No. 11(C)/92] was not pending before this Tribunal. In this case it should be mentioned that the transfer order of the workman, on 12-4-93, by Ext. 3, from Guwahati to Duliajan was subsequent order only in continuation of the above initial transfer order of the year 1991 by management as his initial transfer order of the year 1991 was deferred admittedly at the instance/desire of the workman only. Further, at the time of issuing the 'Notice of eviction' to the workman, vide Ext. 1, dated 13-11-95, the Reference Case No. 11(C)/92 in question was not pending before this Tribunal since the award the said case was passed on 22-8-95/23-8-95 as gathered from the pleadings of the parties and evidence on record including Ext. 4. Hence, the above feature (issue) No. (1) is answered/decided in negative against the union/workman side.

Feature (Issue) Nos. (2) to (5)—Feature (Issue) No. (1) in respect of pending of the proceeding in question, is already answered in negative against the workman, Sri Khargeswar Das. Admittedly, the transfer itself of the workman is a 'condition of service' like the other workmen of the Oil India Ltd. as gathered from the evidence on record of this case. Therefore, transfer in question of the workman (Shri K. Das) from Guwahati to Duliajan by management/opp. can not be an 'alteration' of conditions of his (workman, Sri Khargeswar Das's) service. Moreover, admittedly transfer order of the workman was stayed thrice at his (workman's) request only. He (workman) was further, allowed to avail leave also at his prayer/request by the management/Opp., although he (workman) filed cases in Munsiff's Court, Asstt. District Judge's Court, District Judge's Court and filed writs before the Hon'ble High Court too against the management/opp. side. Considering the finding of the Hon'ble Supreme Court, in a case, Rajendra Roy . . . Appellant Vs. Union of India and another . . . Respondents, reported in (1993) 1 Supreme Court Cases 148, cited and relied by the learned counsel of the management, the averments of the union/workman side, in para Nos. 4, and 5 of their complaint/application, and evidence of UWs-1 and 2 are nothing but some vague allegations only, not based on firm foundation of facts pleaded and established as regards plea of 'malafide' relating to transfer of the workman. Hence plea of the union side, to the effect that 'transfer' in question of the workman is 'malafide' is not sustainable. Considering the

decisions of Hon'ble Calcutta High Court, in a case between Mahabir Das and UCO Bank, trade union leaders can not claim immunity from transfer. It appears from the evidence on record including that of the workman himself too that 'quarters' to the workmen of Oil India Ltd. were/are allotted on the basis of 'seniority' only according to provisions of 'Housing Rules' of the company. It is gathered from the evidence on record that at the time of allotment of the quarter to the workman at Narangi of Guwahati, he gave undertaking to vacate the quarter on his transfer, but he did not vacate his quarter on his transfer to Duliaian in spite of getting letters from the authority to vacate it (quarter). According to the evidence on record admittedly allotment of 'quarter' to the workman of the company, Oil India Ltd., was/is not a 'service condition'. Hence, serving/issuing of notice on/to the workman to vacate his quarter, under public premises (Eviction of unauthorised occupants) Act, 1971, is not a change (Alteration) of his service conditions. As such, in view of my above discussions and findings, issue/feature No. (2) is also decided/answered in negative against the union/workman. When above two issues/features Nos. (1) and (2) are already decided against the workman in negative, discussion and decision on the remaining features/issues Nos. (3) to (5) are held to be superfluous/unnecessary.

In the light of my above discussions and findings, it is decided that the management/opposite parties had/have not contravened the section 33 of the Industrial Disputes Act, 1947, by transferring the workman, by issuing 'notice' of eviction in question etc., to him (workman), Sri Khargeswar Das. As a result, sub-sections (1) (a) and (3) (a) of section 33 of the said Act (Industrial Disputes Act, 1947) are not attracted, for which the instant complaint (Case No. 6(c)95) under section 33-A of the Act, is not maintainable, in view of the decisions of the Hon'ble Apex Court in the cases mentioned above. It is also doubtful as regards the fact of giving of written authority by the workman to the union to file this complaint 'at the time of filing it' considering the evidence of U.W.2/complainant in the first line of his cross-examination as his evidence is not direct on this point in the first line of his cross-examination. Considering the above evidence the complaint is also shaky on the point of maintainability. U.W.1, the workman himself, also at first in his cross-examination categorically admitted that he did not authorise anybody to file the instant complaint, although subsequently he deposed that he filed a petition to the union. Consequently it is doubtful whether Ext. 16 was filed at time of filing the complaint or not.

11. It is gathered from the pleadings of the parties and evidence on record that the workman, Sri Khargeswar Das, was no way connected and concerned with the reference, case No. 11(C) 92 as the management did not withdraw the ambulance facilities to its employees. Over and above, after careful scrutiny and critical examination of the pleadings of the parties and evidence on record, both oral and documentary evidence, exhibited and proved by both the parties, as a whole, I agree with the learned counsel of the management/opposite parties to his submissions that the matters involved in this case in hand, that is, all the allegations/issues, raised in this instance complaint, under section 33-A of the Industrial Disputes Act, 1947, had/have already been finally adjudicated/decided by various competent courts, ranging from the court of Munsiff to the Hon'ble High Court at the instance and initiative of the workman, Sri Khargeswar Das, himself. But, he suppressed all these facts in the complaint of this case. He did not sign this complaint even. Considering the above facts there is reason to hold that the workman is barred to file the instant complaint, through his union, concealing/suppressing his own previous acts, for the interest of equity and good conscience as his hands are not clean. The learned union representative is estopped to take shelter under Article 226-A of Indian Constitution for his client/workman in his arguments, to the effect that notwithstanding anything contained in Article 226, the High Court shall not consider the constitutional validity of any central law in any proceeding under that article (Art. 226), while it was his client-workman himself only who moved the Hon'ble High Court earlier seeking relief under article 226 for the same subject matters. In this connection it should be further mentioned that this Tribunal can not sit himself

as appellate court on/against the decisions of the Hon'ble High Court while the matter was already adjudicated/decided by the Hon'ble High Court too. I agree with the learned counsel of the management/opp., Mr. S. Sarmah, to the effect that while the workman was already evicted from his 'quarter', the prayers for him in the instant complaint petition have become infructuous, and prayers made in this complaint can not be a subject matter of a complaint under section 33-A of the Industrial Disputes Act, since the 'notice' in question admittedly governed the provisions of the public premises (Eviction of unauthorised occupants) Act, 1971 where appeal lies before the District Judge only. Workman himself preferred appeal before the District Judge, which was dismissed and Hon'ble High Court also dismissed writ filed by the workman himself.

12. In view of my discussions and findings above, it is held that the Management/Opposite parties, Oil India Ltd., Duliaian and Pipeline Division, Guwahati, the employers of the workman (Sri Khargeswar Das), did not contravene the provisions of section 33 of the Industrial Disputes Act, 1947, during the pendency of the proceeding of Reference Case No. 11(C) 92 before the Tribunal, by changing/altering alleged conditions of service etc. of the said workman. Hence the workman concerned, Sri Khargeswar Das, is not entitled to any relief.

13. The award is given/passed, as above, on this the 18th day of July, 1998.

D. HAZARIKA, Presiding Officer

नई दिल्ली, 19 अगस्त, 1998

का.प्र. 1763.--औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बैंक ऑफ इंडिया के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण कलकत्ता के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 18-8-98 को प्राप्त हुआ था।

[सं. एन-12012/51/96-आई.आर. (बी.-II)]

सी० गंगाधरण, डैस्क अधिकारी

New Delhi, the 19th August, 1998

S.O. 1763.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Calcutta as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Bank of India and their workman, which was received by the Central Government on 18-8-98.

[No. L-12012/51/96-IR (B-II)]

C. GANGADHARAN, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL,
AT CALCUTTA

Reference No. 15 of 1997

PARTIES :

Employers in relation to the management of Bank of India.

AND

Their workmen

PRESENT :

Mr. Justice A. K. Chakravarty, Presiding Officer,

APPEARANCE :

- On behalf of Management.—Mrs. R. Padhi, Industrial Relation Officer.
On behalf of Workmen.—Mr. R. G. Chattopadhyay, Member Law Sub-Committee of Bank Employees' Federation (W.B.).

STATE : West Bengal.

INDUSTRY : Banking.

AWARD

By Order No. L-12012/51/96/TR. (B-II) dated 08/09-05-1997 the Central Government in exercising its powers under section 10(1)(d) and (2A) of the Industrial Disputes Act, 1947 referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of Bank of India in not allotting Shri T. K. Paul, Chief Cashier Category 'E' for Tiljala Branch instead of Sajirhat Branch on the plea of steps taken by the Bank to know the choice of preference over phone and also through his Union is legal and justified ? If not, to what relief the said workman is entitled ?"

2. The instead reference has arisen at the instance of the Bank of India Employees, Union (in short Union) over posting of Shri T. K. Paul, a Category 'E' Cashier in the Sajirhat Branch of Bank of India (in short Bank).

3. The union's case, in short, is that the Bank by its circular dated 3-10-1994 invited applications from Clerk-Cashier Category 'C' for appointment to the Special Allowance carrying post of Head Cashier Category 'E' and the concerned workman being a Category 'C' Head Cashier in the Rubi Park Branch of the Bank applied in the specified proforma for appointment to the said post at three branches in the C.C.A. area, namely, Ballygunj Military Camp, Tiljala and Sajirhat Branch. Three separate applications were filed before the Manager, Rubi Park Branch of the Bank as per directions contained in that circular. Shri Paul thereafter on 14-11-1994 wrote a letter to the Bank indicating his preference to be posted at Tiljala Branch if he was found seniormost candidate for more than one branch. The Bank by its letter dated 26-11-1994 offered him a post of Head Cashier Category 'E' at its Sajirhat Branch and Shri Paul communicated his acceptance on 14-12-1994 for appointment to the said post. The grievance of Shri Paul is that though he was seniormost applicant for the post of Head Cashier Category 'E' at Tiljala Branch, he was not assigned and posted at Tiljala Branch and his junior was assigned in the said post at Tiljala Branch. Shri Paul accordingly has challenged the order of his posting at Sajirhat Branch by the Zonal Authority as unwarranted, unlawful and unjustified and alleges that such posting has resulted in causing permanent inconvenience and hardship to Shri Paul. The union accordingly prayed for direction upon the Bank to order his posting as Head Cashier Category 'E' at Tiljala Branch as per his preference and seniority.

4. The management of the Bank filed a written statement alleging, inter alia, that the concerned workman applied for the post of Head Cashier Category 'E' for Tiljala, Ballygunj Military Camp and Sajirhat branches by three separate applications in response to the Bank's circular without specifying his choice of preference in the said three applications. It is true that the concerned workman was the seniormost applicant for Tiljala Branch as well as the Sajirhat Branch. The employer Bank duly communicated the workman concerned over phone as well as through his union desiring to know his choice of preference although such an exercise was neither obligatory nor warranted under any rules, practice or convention. The concerned workman kept silent over the matter and the Bank having not got any communication either from the concerned workman or from his union either orally or writing, put a memo on 17th November, 1994 for selection of the concerned workman as Head Cashier Category 'E' at Sajirhat Branch and he was assigned duty of Head Cashier Category 'E' in the said branch. The employer Bank received a letter dated 14-11-1994 from the concerned workman on 17-11-1994 wherein he opted his

first choice at Tiljala Branch. Since the selection process had been completed by that time, the Bank had no opportunity to consider the choice of preference of the concerned workman. The Bank has further alleged that the concerned workman having accepted his assignment to the post of Head Cashier Category 'E' at Sajirhat Branch on 14-12-1994 without any protest that he cannot have any further grievance. The Bank has further alleged that since he was found seniormost in both the branches at Sajirhat and Tiljala branches, he could not claim as a matter of right his assignment at Tiljala Branch in terms of his preference exercised in his letter dated 14-11-1994 since there was no such agreement or notice in this regard. The Bank further alleges that had the workman conveyed his option in time that would have been considered by the Bank. The Bank has further alleged that no prejudice was caused to the concerned workman by posting him at Sajirhat Branch since special allowance in both the branches are same. Further, it is easier to reach Sajirhat Branch than Tiljala Branch by the concerned workman from his residence. The Bank also denied that in posting the concerned workman Sajirhat Branch it has violated any norms. The Bank accordingly prayed for rejection of the union's case.

5. Both sides have produced certain documents and examined one witness each in support of their respective cases.

6. Heard the representatives of both sides.

7. Facts are more or less admitted in this case. The only point for consideration in this reference is whether the Bank was justified in posting the concerned workman Shri T. K. Paul as Category 'E' Head Cashier at its Sajirhat Branch instead of posting him at Tiljala Branch, even though he was admittedly seniormost in both the branches. Mr. Chattopadhyay, representative of the union challenged the action of the management on two counts, namely, that the Bank acted illegally in not considering the preference exercised by the concerned workman in favour of Tiljala Branch and that it acted in a mala fide manner while conducting the selection process by not considering the letter of preference written by the concerned workman. Mrs. Padhi, representative of the Bank submitted that the Bank was under no obligation, either legally or by any settlement, to ask for any option from the concerned workman regarding his place of posting, still then, it allowed him to exercise his option as a good gesture. But the Bank could not consider the representation of the concerned workman in this matter as the selection process had already been completed when his representation was received by the Bank.

8. To understand the contentions of the parties in this matter, it is necessary to examine under what circumstances and in what manner the entire selection was made. The Bank, by its circular dated 3rd October, 1994 marked Ext. W-1 and W-1/(a) invited applications for filling up vacancies of Head Cashier Category 'E' from the eligible candidates. These circular directed the candidates to supply certain particulars. It, however, did not contain any provision for exercising one's preference for any particular place of posting. If further appears that this selection was to be made on the basis of seniority and the staff members willing to apply for more than one branch was directed to submit separate applications for different branch. The concerned workman accordingly submitted three applications for appointment as Head Cashier Category 'E' at Ballygunj Military Camp, Sajirhat and Tiljala branch on 20-10-1994 vide Ext. W-2, W-2/a and W-2/b. It appears from the evidence of the concerned workman who was examined as WW-1, that on being directed to exercise his preference by the Manager of the Rubi Park Branch, where he was working as 'C' Category Head Cashier he expressed his preference to be appointed at Tiljala Branch on 14-11-1994. The said application is marked Ext. W-3. It further appears from Ext. W-4 that subsequently when he was given the posting at Sajirhat Branch, he tamely accepted the offer without raising any protest. In his evidence, he has stated that he accepted the assignment after going through all the terms of the assignment as mentioned in the letter without any protest.

9. In support of its contention that the Bank received the letter of Shri Paul wherein he exercised his preference

when the selection process was over, the Bank has produced the forwarding letter of the Branch Manager of the Rubi Park Branch dated 17-11-1994 vide Ext. M-3. It further appears from this forwarding letter that it was received by the Zonal Office on 19-11-1994. The Bank has also produced the order of selection of the concerned workman for the post of Head Cashier Category 'E' of Sajirhat Branch dated 17-11-1994 (Ext. M-2). On a plain reading of this order of the Chief Officer, Personnel Department it will appear that no application exercising any preference by the concerned workman was produced before him and that was quite natural as the Zonal Office received the application of the workman only on 19-11-1994. It is true that the Joint Zonal Manager to whom the matter was sent for final approval, signed the said order on 23-11-1994, but such signature of the Joint Zonal Manager (A) being merely a formal one, the contention of Mr. Chattopadhyay, representative of the union that the selection process was not over till 23-11-1994 cannot be accepted as signature of the Joint Zonal Manager was formal and nothing more required to be done in the matter. The Bank having invited the concerned workman to exercise his preference as a matter of good gesture, cannot be believed to have intentionally ignored the claim of the concerned workman. In the said circumstances, the allegation of any malafide on the part of the Bank in the placement/posting of Shri T. K. Paul cannot be accepted.

10. Mr. Chattopadhyay, representative of the union frankly conceded that the management has every right to post its employee in any branch and there is neither any law nor any provision in any settlement against that position. The workman in his evidence admitted that for the sake of its own interest the Bank has right to transfer any employee anywhere provided that is bona-fide. He further stated that the Bank acted in malafide manner as the management in posting him at Sajirhat Branch ignored the fact that he was seniormost in both the branches at Sajirhat and Tiljala and two vacancies had occurred at the time of his posting. The witness examined on behalf of the bank was posted as Deputy Chief Officer, Personnel at the relevant time. He stated in his evidence that he personally rang the concerned workman over phone and requested him to exercise his choice in respect of any of the two branches. From his evidence it will appear that the concerned workman informed him that he has no preference for any branch and requested him to post him in either of the two branches and also to see that his claim of getting such post attracting special allowance is not ignored. He also stated that the concerned workman exercised his preference after the selection process was over. I find no reason to disbelieve the evidence of this witness because he had no reason to depose falsely against the concerned workman and also because such evidence was also not traversed in his cross-examination.

11. Mr. Chattopadhyay, representative of the union referred to the case of Seshrao Nagorao Uman v. State of Maharashtra & Ors., reported in 1985 (II) LLJ 73. The point for consideration in that case was in respect of transfer. This is not a case of transfer but a case of posting. This has nothing to do with the contention of Mr. Chattopadhyay that the workman has got to be posted at the place of his liking by the management. This contention of Mr. Chattopadhyay is absurd as it runs counter to the fundamentals of master and servant relationship in as much as it takes away the management's right to post its employee anywhere to suit its own administrative reasons.

12. The union thus having failed totally to prove that the concerned workman had any right to be posted at Tiljala Branch of the Bank in accordance with his own choice and that no malafide in the action of the management in posting the concerned workman at Sajirhat Branch having been found, there is no question of granting any relief to the concerned workman. The action of the management of Bank of India in not allotting Shri T. K. Paul the concerned workman Tiljala Branch instead of Sajirhat Branch accordingly cannot be said to be unjustified. The workman accordingly is not entitled to any relief.

This is my Award.

Dated, Calcutta,
6th August, 1998.

A. K. CHAKRAVARTY, Presiding Officer

नई दिल्ली, 19 अगस्त, 1998

का.आ. 1764.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बैंक ऑफ़ बड़ोदा के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचाहर को प्रकाशित करती है, जो केन्द्रीय सरकार को 18-8-98 को प्राप्त हुआ था।

[सं. एल./12012/6/93-आई/आर. (बी-II)]

सी. गंगाधरण, डैस्क अधिकारी

New Delhi, the 19th August, 1998

S.O. 1764.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Bank of Baroda and their workman, which was received by the Central Government on 18-8-98.

[No. L-12012/6/93-IR(B-II)]

C. GANGADHARAN, Desk Officer

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, PANDU NAGAR, KANPUR

Industrial Dispute No. 46 of 1993

In the matter of dispute

BETWEEN

General Secretary,
Bank of Baroda Staff Association,
15/22, Ka Civil Lines, Kanpur.

AND

Regional Manager, Bank of Baroda,
19, Wey Road Lucknow.

AWARD

1. Central Government, Ministry of Labour, vide notification no. 12012/6/93/IR. B.II dated 12-5-93, has referred the following dispute for adjudication to this Tribunal—

‘Whether the action of the management of Bank of Baroda, in imposing the punishment of stoppage of one increment for six months on Sri B. P. Pandey is justified? If not what relief Sri Pandey is entitled?’

2. The concerned workman Sri B. P. Pandey was working as Daftary at Hewet Branch, Lucknow of the opposite party Bank of Baroda. He was issued a chargesheet on 17/22-9-90, the copy of which is

annexed as annexure I. However, in the claim statement its substance has been given. The substance is that on 12-4-90 he had withdrawn a cheque for Rs. 8000/- and that he left the branch without permission and further that he had misbehaved with the senior officers. Enquiry was held in due course and the enquiry officer submitted his report. It may be mentioned that neither the copy of chargesheet nor the enquiry report has been filed. In its absence it is not ascertainable as to when the enquiry report was submitted and that was the result. Anyway on the basis of this report the concerned workman was awarded punishment by way of punishment of stoppage of one increment for six months by order dated 29-5-91. Feeling aggrieved the concerned workman has raised the instant Industrial Dispute. In the claim statement the fairness and propriety of domestic enquiry was challenged. In reply the management has maintained that the enquiry was conducted fairly and properly.

3. In view of above pleadings a preliminary issue regarding fairness and propriety of domestic enquiry was framed. During the course of hearing of preliminary issue the management did not file copy of chargesheet and relevant papers connected with the enquiry proceedings as well as enquiry proceedings/report. In the absence of these documents drawing adverse inference I upheld the contention of the concerned workman and vide finding dated 3-4-98 it was held that enquiry was not held fairly and properly. Thereafter the management was given opportunity to prove the misconduct on merits. In support of his case the management examined their Sr. Manager Gopal Krishna who has thrown light on all the charges. In doing so he had stated that concerned workman indulged in assault, snatching of cheque, making unauthorised entries in the ledger and leaving the office before the close of banking hours. Opportunity was given to the concerned workman but failed to examine himself. In its absence, the evidence of the management witness is un rebutted, hence I have no hesitation in accepting it. Accordingly the charges are proved, hence my award is that punishment awarded to the concerned workman by way of stoppage of one increment for six months is justified and he is not entitled for any relief.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 19 अगस्त, 1998

का.श्रा. 1765.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसूचन में; केन्द्रीय सरकार बैंक ऑफ बड़ोदा के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 18-7-98 की प्राप्त हुआ था।

[सं. एल-12012/268/95-आई.आर. (बी.-II)]

सी. मंगधरण, डेस्क अधिकारी

New Delhi, the 19th August, 1998

S.O. 1765.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Bank of Baroda and their workman, which was received by the Central Government on 18-8-98.

[No. L-12012/268/95-IR(B-II)]

C. GANGADHARAN, Desk Officer

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, PANDU NAGAR, KANPUR

Industrial Dispute No. 7 of 1997

In the matter of dispute

BETWEEN

Sri Ghurai Lal,
S/o Gulab C/o Sri Madan Lal,
Diljak Nagar, Ramnagar Gurudwara,
Shahjahanpur, U.P.

AND

Regional Manager,
Bank of Baroda,
Regional Office Govindganj,
Shahjahanpur. U.P.

AWARD

1. Central Government, Ministry of Labour vide notification no. L-12012/268/95/I.R. B-2 dated 30-12-96, has referred the following dispute for adjudication to this Tribunal—

“Whether the action of the management of Bank of Baroda Regional Office Shahjahanpur in terminating the services of Sri Gurai Lal peon w.e.f. 15-11-96, is just and legal. If not to what relief is the said workman entitled?”

2. The case of the concerned workman Gurai Lal is that he had worked as peon in a clear vacancy from 21-11-90 to 17-12-90 continuously for 276 days thereafter he had continuously worked from 3-4-91 to 14-11-94 at Tilhar Branch of the opposite party of Shahjahanpur. Although the had worked as peon on a regular post by way of unfair labour practice was paid daily wages and some times too in different names. As he had completed more than 240 days in a year preceding the date of termination his termination is bad being in breach of provisions of Section 25F of I.D. Act. Further juniors to him like Beerpal was retained in service hence there had been breach of provisions of section 25G of I.D. Act as well.

3. The case of the opposite party bank is that the concerned workman was used to be engaged by the bank as water boy for fetching water. As last time

he was engaged on 21-10-94. He was never engaged as peon and he had also not continuously worked.

4. In the rejoinder nothing new was alleged.

5. In support of his case, the concerned workman Gurai Lal has examined himself as W.W.1. Besides he has filed Ext. W-1 to W-6. In rebuttal the management has examined their manager A. K. Gupta MW-1 besides Ext. M-1 to M-41 were filed.

6. The first point which needs consideration is as to whether the concerned workman was engaged as a peon or as a water boy on regular post. The concerned workman Gurai Lal has stated that he was engaged on a regular post of a peon. He has denied the suggestion that he was engaged as water boy. A. K. Gupta M.W.1 has denied this fact and has stated that the concerned workman was engaged as a water boy casually. There are Ext. W-2 to W-5 certificates issued by the bank which clinch the issue in favour of the concerned workman. These are certificates issued by the management. It has been certified that the concerned workman had worked as peon from 1991 to 1994. It belies the version and evidence of the management bank that the concerned workman was engaged as a water boy. Instead it is established that concerned workman was engaged as a peon. Hence I come to the conclusion that the concerned workman was engaged as a peon and not as a water boy.

7. Next it will be seen if the concerned workman has completed more than 240 days in a year. The concerned workman has stated that he had continuously worked. A. K. Gupta has not spoken about the continuity of work of the concerned workman. Instead his evidence was that concerned workman had worked as a waterman. In other words his evidence regarding duration of work is nil. This evidence of the concerned workman is un rebutted. In this regard it find support from Ext. W-2 to W-5. Accordingly it is held that the concerned had continuously worked for more than 240 days as peon. Admittedly no retrenchment compensation and notice pay was given to him, hence my finding is that there had been breach of provisions of section 25F of I.D. Act.

8. As regards breach of section 25G of I.D. Act, it is the pleading that Veerpal was junior to the workman and was retained in service whereas Gurai Lal has stated that after his termination Veerpal was appointed. In other words there was breach of section 25H of I.D. Act. Thus there is variation between the pleading and proof. Hence on this score the case of the concerned workman regarding breach of provisions of section 25G of I.D. Act is not accepted.

9. As a result of above discussion my award is that termination of the concerned workman is bad in law being a breach of section 25F of I.D. Act. As he has continuously worked he will also be entitled for back wages from the date of termination.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 19 अगस्त, 1998

का.आ. 1766.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सिंडिकेट बैंक के प्रबन्धन के संबंध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचाट का प्रकाशित करती है, जो केन्द्रीय सरकार को 18-8-98 को प्राप्त हुआ था।

[स. एल-12012/406/94-आई.आर. बी.-II]]

सी. गंगाधरण, डेस्क अधिकारी

New Delhi, the 19th August, 1998

S.O. 1766.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Syndicate Bank and their workman, which was received by the Central Government on 18-8-1998.

[No. L-12012/406/94-IR (B-II)]

C. GANGADHARAN, Desk Officer

ANNEXURE

BEFORE SHRI B. K. SRIVASTAVA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, DEOKI PALACE ROAD, PANDU NAGAR, KANPUR.

Industrial Dispute No. 60 of 1995.

In the matter of dispute :

BETWEEN :

Suraj Kumar,
S/O. Felly Ram,
R/O. Mohala Eariwala,
P. O. Sadabad Mathura.

AND

Dy. General Manager,
Syndicate Bank,
Z. O. 43/28 Nawal Kishor Road,
Skylark, III Story, Lucknow.

APPEARANCE :

Shri V. K. Gupta for the Workman.

Shri V. P. Srivastava for the Management.

AWARD

1. Central Government Ministry of Labour New Delhi vide its Notification No. L-12012/406/94-I.R. (B-2), dated 30th May, 1995 has referred the following dispute for adjudication to this Tribunal :

"Whether the action of the management of Syndicate Bank Lucknow in terminating the services of Shri Suraj Kumar Sub-Staff

w.e.f. 31-10-1993 is legal and justified ?
If not to what relief is the said workman entitled ?”

2. In this case earlier an ex parte award was given on 2-9-1997 against the management which was published on 8-10-1997. Later on the management applied for setting aside this award. This application was allowed by this Tribunal vide order dated 25-2-1998. Thereafter the management Bank was given repeated opportunities to adduce his evidence but fail to do so.

3. The case of the concerned workman Suraj Kumar is that he was appointed as messenger/attendant at Sadabad Branch of the opposite party Syndicate Bank on 3-2-1992. He continued to work upto 31-10-1993, when his services were dispensed without observing provisions of Section 25-F of I. D. Act as he has completed for more than 240 days in a year. There has also been breach of Section 25-F of I. D. Act as Jai Prakash appointed and no opportunity was given to him.

4. The opposite party has filed reply in which it is alleged that concerned workman was engaged as temporary part time sweeper/attendant. He did not work continuously between 3-2-1992 to 5-11-1993. He has worked only for 196 days, as such provisions of Section 25-F I. D. Act are not applicable. It is also alleged that plea regarding 25-F of I. D. Act has not been referred hence it cannot be entertained.

5. In the rejoinder it is denied that concerned workman was engaged as Sweeper/attendant on part time basis.

6. In support of his case the concerned workman has examined as Suraj Kumar W.W. 1 besides Ext. W-1 to W-3, documents were filed. Whereas the management did not adduce any evidence, inspite of opportunity having been given to them.

7. The first point which needs consideration as to whether the concerned workman was a part time attendant/sweeper having been engaged in leave vacancy. No evidence has been adduced by the management to prove this fact. On the contrary the concerned workman as W.W. 1 has denied this fact. Apart from it, in this case there is Ext. W-2 a letter written by manager to Divisional Manager, Agra on 27-9-1993, in which it has been lamented that in this branch there is strength of three persons to the post of attenders. Out of them Brijendra Singh has been deputed to carry slips and ledgers because of his poor health. The remaining work of filing, cash stitching despatch, visit to state Bank of India is being carried out by the concerned workman and one Amar Singh. This admission on the part of Manager goes to show that the concerned workman was attending the work of regular nature and he was not a muster roll sweeper or attendant. He had even not worked in leave vacancy. Instead he was working in a clear vacancy. Thus my finding is that the concerned workman was working on a regular post and was doing the work of permanent nature as attendant.

8. The second point is as to whether he has completed 240 days in a year. In this regard there is un rebutted evidence of Suraj Kumar W.W. 1. Apart from this there is Ext. W-3 an application which goes to show that concerned workman had worked for 286 days. Thus this paper also goes to belie the version of the management. Accordingly, it is held that the concerned workman had completed 240 days when he was removed from service. Admittedly he had not been paid retrenchment compensation and notice pay at the time of removal from service, hence there has been breach of Section 25-F of I. D. Act. Accordingly, the removal from service of the concerned workman is bad in this regard.

9. The case of the concerned workman regarding breach of Section 25-H of I D Act is not being considered as it has not been specifically referred.

10. In the end my award is that the termination of the concerned workman from service is bad in law being in breach of Section 25-F of Industrial Disputes Act, 1947, and the concerned workman is entitled for reinstatement with back wages.

B. K. SRIVASTAVA, Presiding Officer.

नई दिल्ली, 19 अगस्त, 1998

कां० 1767.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अन्वय में, केन्द्रीय सरकार बैंक आफ बड़ोदा के प्रबन्धतंत्र के संबंध में निदेशित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 18-8-98 को प्राप्त हुआ था।

[सं०एल-12011/411/95/आई.आर.(बी.-II)]

सी० गंगाधरण, डेस्क अधिकारी

New Delhi, the 19th August, 1998

S.O. 1767.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Bank of Baroda and their workman, which was received by the Central Government on 18-8-98.

[No. L-12011/411/95-IR(B-II)]

C. GANGADHARAN, Desk Officer

ANNEXURE

BEFORE SHRI B. K. SRIVASTAVA, PRESIDING OFFICER CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM-LABOUR COURT DEOKI PALACE ROAD PANDU NAGAR KANPUR

Industrial Dispute No. 97/96

In the matter of dispute between:

General Secretary
U.P. Bank of Baroda Employees
Union Baili Bazar Shakha
Meerut.

AND

Dy. General Manager
Bank of Baroda
Delhi Road Meerut.

APPEARANCE :

Km. Meenu Soni—for the workman.

Shri V. K. Gupta—for the Management.

AWARD

1. Central Government Ministry of Labour New Delhi vide its Notification No. 12011/411/95-I.R. (B-2) dated 1-10-96 has referred the following dispute for adjudication to this Tribunal :

Whether the action of the management of Bank of Baroda in not confirming the services of Shri Sunil Kumar Goel in the post of peon is legal and justified ? If not, to what relief the workman is entitled ?

2. The case of the concerned workman Sunil Kumar Goel that he was engaged as Peon on 31-7-92 at Zonal Office Delhi Road Meerut of the opposite party Bank of Baroda. He continuously worked from 31-7-92 to 25-5-97 on a regular post. Thereafter his services were terminated in breach of Section 25F and 25G I.D. Act. Hence his termination is bad.

3. In the written statement it is alleged that the concerned workman did not worked continuously. He was a daily rated worker to supply water. For Peon maximum qualification VIII class passed where as he has clear 9th standard. He left the job of his own.

4. In the rejoinder new facts alleged in the written statement were denied.

5. In support of his case concerned workman filed Ext. W-1 to Ext. W-38, out of which only Ext. W-4 is relevant. The management has filed Ext. M-1 to Ext. M-33 which are vouchers and copies of approach paper. Beside the concerned workman Sunil Kumar Goel has examined himself as WW(1). The opposite party has examined Ravinder Kumar Ahuja MW(1).

6. In the first place it will be seen whether the concerned workman had worked as Peon continuously on a regular post of Peon. Naturally the concerned workman has supported his version by giving his evidence. Beside there is Ext. W-4 which is an order for allocation of work at Zonal Office. In this arrangement the concerned workman has been shown as a member of sub staff. This admission lends support to the evidence of the concerned workman. In rebuttal there is evidence of Ravinder Kumar Ahuja MW(1). His evidence is that the concerned workman was a daily rated worker. He was not given any appointment letter. From the evidence of the workman regarding his working as Peon on regular post continuously is not

rebutted. As such the evidence of the concerned workman is entitled of the concerned workman is entitled for greater weight. The management filed Ext. M-1 to Ext. M-33, out of which Ext. M-1 to Ex. M-3 are vouchers to show that he was paid as daily rated worker. His nature of work has not been mentioned. Ext. 29 to Ext. M-33 are relating to approach papers according to which test was taken subsequently. These papers in no way go to belie the version of the concerned workman.

7. In view of the above discussion my finding is that the concerned workman has continuously worked for 31-7-92 to 25-5-95 as a daily rated worker on a regular post of peon.

8. Admittedly no retrenchment compensation and notice pay was given to him at the time of termination. In view of my finding is that concerned workman had continuously worked from 31-7-92 to 25-5-95. It is obvious that he has completed more than 240 days in a year before his retrenchment. Hence his termination is bad being in breach of Provision of Section 25F I.D. Act.

9. Shri Sunil Kumar Goel WW(1) has further stated that when he was removed from service Brij Raj Kishore was retained. There is no evidence in rebuttal. Hence I accept it. Accordingly it is held that there has been breach of 25G I.D. Act as well.

10. The management has filed Ext. M-29 to Ext. M-33 to show that subsequently test was held and the concerned workman was not found eligible this point need not taken to be consideration as in the instant case we are concerned with only validity of termination dated 25-5-95.

11. In view of above discussion my award is that termination of concerned workman is bad being in breach of Section 25F and 25G I.D. Act. Hence he will be entitled for reinstatement with back wages.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 19 अगस्त, 1998

का०आ० 1768.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इलाहाबाद बैंक के प्रबन्धन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण कानपुर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 18-8-98 को प्राप्त हुआ था।

[सं० एल-12012/388/94/आई.आर.-बी.-II]
सी. गंगाधरन डैस्क अधिकारी

New Delhi, the 19th August, 1998

S.O. 1768.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Allahabad

Bank and their workman, which was received by the Central Government on 8-8-98.

[No. L-12012/388/94-IR(B-II)]

C. GANGADHARAN, Desk Officer

ANNEXURE

BEFORE SHRI B. K. SRIVASTAVA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT DEOKI PALACE ROAD, PANDU NAGAR KANPUR

Industrial Dispute No. 56 of 1995

In the matter of dispute between:

General Secretary
Allahabad Bank Staff Association
(U.P.) 40/26-A
North Malaka
Allahabad.

AND

Regional Manager
Allahabad Bank
Gonda Road R.O.
Bahraich.

APPEARANCE:

Shri B. P. Saxena—for the workman.

Shri M. K. Verma—for the Management.

AWARD

1. Central Government Ministry of Labour New Delhi vide its Notification No. L-12012/388/94-I.R. (B-2) dated 24-5-95 has referred the following dispute for adjudication to this Tribunal :

Whether Shri Mohd. Sajjan was an employee of Allahabad Bank, Bahraich as Temporary Peon-cum-Farrash? If so, whether the action of the Bank Management in terminating his service w.e.f. 1-10-93 was legal and justified? If not, what relief is Shri Sajjan entitled to?

2. The case of the concerned workman Mohd. Sajjan is that he was engaged as Peon-cum-Farrash at Bahraich Branch of the Opposite party 1-9-89. He continuously worked upto 1-10-93 when his services were terminated in breach of provision of Section 25F and 25H of I.D. Act. It is further alleged that in view of guideline circular of by Govt. of India vide letter dated 16-8-90 the concerned workman was entitled for absorption.

3. The opposite party has filed reply in which it is denied that concerned workman was engaged as Peon-cum-Farrash. It is further alleged that the Bank has given a Thaka for operation of Generator to a private Company. That Company had denied the concerned workman to operate generator at this Branch.

4. In the rejoinder this fact has been denied.

5. In support of his case the concerned workman has examined himself as Mohd. Sajjan WW-1. Besides he has filed Ext. W-1 to Ext. W-6. In rebuttal there

is no evidence of Management. Ext. W-1 is the letter of Manager to Regional Manager, Ext. W-2 is paper goes to show that the concerned workman entrusted with certain Bank papers. Similarly is the nature of Ext. W-3 Remaining documents are vouchers. Thus these papers goes to show that concerned workman was entrusted with the job of handling papers of Bank. As regard continuous working there is un-rebutted evidence of the concerned workman. Further

it is proved from his evidence that retrenchment compensation and notice pay was not given.

6. It may be noticed that the management Bank has also file certain papers to believ the statement of the concerned workman. At the far end of the case they have applied for opportunity to adduce evidence which was denied by this Tribunal.

7. The net result of above discussion is that there is un-rebutted evidence of concerned workman which prove his version regarding breach of Section 25F I.D. Act.

8. Accordingly my award is that the concerned workman was the employment of the bank and termination is bad. Consequently he is entitled for reinstatement without back wages.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 19 अगस्त, 1998

कां.प्र. 1769.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सेन्ट्रल बैंक ऑफ इंडिया के प्रबन्धन के संबंध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण बनपुय के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 18-8-98 को प्राप्त हुआ था।

[सं. एल-12012/335/95-आई.आर. (बी -II)]
सी० गंगाधरन, डेस्क अधिकारी

New Delhi, the 19th August, 1998

S.O. 1769.—In pursuance of Section 1 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Central Bank of India and their workman, which was received by the Central Government on 18-8-98.

[No. L-12012/335/95-IR(B-II)]

C. GANGADHARAN, Desk Officer

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT PANDU NAGAR, KANPUR

Industrial Dispute No. 15 of 1997

In the matter of dispute between:

Akul Sangram Singh C/o O. P. Mathur
117/K-36 Sarvodya Nagar
Kanpur.

AND

Regional Manager
Central Bank of India
Pandu Nagar, Kanpur.

APPEARANCE:

O. P. Mathur—for the workman and

V. P. Gupta—for the Management.

AWARD

1. Central Government, Ministry of Labour, vide notification No. L-12012/335/95/IR(B-2) dated 30-12-96, has referred the following dispute for adjudication to this Tribunal:—

Kya Central Bank of India ke prabandh ke dwara Sri Akul Sangram Singh putra L. Sri Anant Prasad, Dainik Bhogi Karamchari ko dinank 13-8-93 se naukari se nikala jana uchit aur vaidhanik hai? Yadi nahi to karmkar kis anutosh ka haqdar hai?

2. The case of the concerned workman Akul Sangram Singh is that he was engaged as a peon/messenger w.e.f. 1-2-91, at Karanchikhana Branch of the opposite party Central Bank of India. He continuously worked upto 13-8-93, when his services were terminated in breach of provisions of section 25F of I.D. Act and 25H of I.D. Act. Hence his termination is bad in law.

3. The case of the opposite party bank is that the concerned workman was never engaged as a peon/messenger. Instead as and when peons were not available, the concerned workman was required to bring water. For this purpose he had worked for six days only between 5-11-92 to 20-7-93, whereafter, he did not work at all. Hence, question of breach of provisions of section 25F of I.D. Act does not arise at all.

4. In the rejoinder nothing new was alleged.

5. In support of his case, the concerned workman examined himself as Akul Sangram Singh W.W.1. After close of his evidence he moved an application for permission to file certain vouchers which was rejected having been filed at a belated stage. In rebuttal the management examined their manager Prakash Chandra Sharma M.W.1 and B. N. Pandey M.W.2 besides vouchers Ext M-1 dated 7-11-92, and Ext. M-2 dated 23-2-93 was filed.

6. In the first place it will be seen if the concerned workman had worked as peon or as a watchman. The concerned workman Akul Sangram Singh W.W.1 has stated that he started the services in 1991 as peon, the actual date of engagement could not be given. He had continuously worked upto December, 93 when he was removed from service at that time juniors to him like Dilip and Vijay were retained in service. In his cross examination he has stated that besides rendering services of supply of water he also used to handle accounts books on the instructions of the staff.

7. In rebuttal Prakash Chandra Sharma M.W.1 has stated that the concerned workman was never engaged as peon. Instead he used to bring water casually whenever necessity arose. In all he had worked for six days between 5-11-92 to 20-7-93. In his cross examination he has denied that concerned workman had worked upto 13-8-93. He has further stated that he has spoken about details of working days on the basis of vouchers which are lying in the office. He has further stated that at that time Ramesh and one Pandey were already working as a peon at this branch. B. N. Pandey MW2 is Daftari he has stated that in his time the concerned workman has not worked as peon at all.

8. Thus from the unrebutted evidence it is established that there were already two peons working at this branch. In view of this it is unlikely that the concerned workman would have been engaged as peon. It was alleged in the claim statement that although the work of peon was being taken payment was made through vouchers by making false statement. However, no evidence has been adduced in this regard. Hence it cannot be said that voucher M-1 and M-2 were wrongly prepared, I am also inclined to believe the version of Prakash Chandra Sharma M.W.1 that whenever a peon were not available, the concerned workman used to supply water. In view of above discussion my conclusion is that the concerned workman was never engaged as peon. Instead he used to be engaged casually as and when necessity arose to supply water. In that course if on certain occasion he was asked to carry register from one table to another it will not confer any status of peon upon him.

9. I once again believe the evidence Prakash Chandra Sharma which is based on information derived from voucher that the concerned workman had worked for six days between 5-11-92 to 20-7-93. In view of this he could not have completed more than 240 days. As such he is not entitled for benefit of Section 25F of I.D. Act. There is also no proof of breach of section 25H of I.D. Act.

10. The concerned workman has adduced evidence that juniors to him like Dilip and Vijay were retained in service is beyond pleadings hence this plea is not considered.

11. As a result of above discussion my award is that termination of the concerned workman is not bad and he is not entitled for any relief.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 19 अगस्त, 1998

कां०आ० 1770—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अन्तर्गत में, केन्द्रीय सरकार बैंक ऑफ इंडिया के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अन्वय में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 18-8-98 को प्राप्त हुआ था।

[सं० एल-12012/280/95-आई.आर. (बी.-II)]

सी० गंगाधरन, डैस्क अधिकारी

New Delhi, the 19th August, 1998

S.O. 1770.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Bank of Baroda and their workman, which was received by the Central Government on 18-8-98.

[No. L-12012/280/95/IR(B-II)]

C. GANGADHARAN, Desk Officer

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, PANDU NAGAR, KANPUR

Industrial Dispute No. 12 of 1995

In the matter of dispute between:

Sridhar Tripathi s/o Deodhar Tripathi
Village and Post Trisundi
District Sultanpur, U.P.

AND

Regional Manager
Bank of Baroda
45 Hazaratganj
Jeevan Bhawan, Lucknow.

APPEARANCE:

A. K. Chopra—for the management and Necta mathur—for the workman.

AWARD

1. Central Government, Ministry of Labour, vide notification No. L-12012/280/95/IR. B-2 dated 30-12-96, has referred the following dispute for adjudication to this Tribunal—

Whether the action of the management of Bank of Baroda, Trisundi Branch, District Sultanpur in terminating the services of Sri Sridhar Tripathi w.e.f. 11-12-88 and management considering him for empanelment is justified? If not what relief the workman is entitled?

2. A bare perusal of the above reference would go to show that it comprises of two parties. The first party deals with illegal termination of the workman w.e.f. 11-12-88 while the other part deals with reluctance of the management in empaneling the workman for absorption in future. As regards first part of the reference nothing has been alleged in the claim of the management in empaneling the workman. Attention of authorised representative of the concerned management conceded that termination of the concerned workman is not being challenged. Instead the other part of reference is being challenged. There is no denying the fact that concerned workman Sridhar Tripathi had worked as class IV Employee with the opposite party bank of Baroda from 22-7-88 and continued to 22-6-98. GI/98-15.

work upto 11-12-88. In this way he had completed more than 90 days.

3. The case of the concerned workman is that the opposite party had issued a notification, the copy of which is Ext. W-7 on record. According to this class IV employees who had completed more than 90 days were entitled for being enlisted in the penal for future absorption. The case of the applicant is that as he had completed 90 days service he had applied but his case was not considered rather it was rejected by order dated 2-3-94 Ext. W-17 its copy. As he was eligible for being empanelled.

4. The opposite party has filed the reply. The substance of which is that as the concerned workman was not eligible he was not considered.

5. In the rejoinder nothing new has been alleged.

6. Thus the only point which needs consideration is as to whether the concerned workman was eligible for empanelment in terms of notification the copy of which is Ext. W-7. It says that the candidate should be within the age limit of 18 to 26 years, he should have completed 90 days, he should be 8th class pass. It further requires that the applicant should have worked on permanent post of peon. Naturally the concerned workman Sridhar Tripathi W.W.1 has stated that he had worked for 90 days. However, there are papers to show that he was not appointed on permanent post. Instead he was engaged as a daily rated worker and he was paid Rs. 10 per day. This fact is established from Ext. W-12 to W-13 certificate. Thus from the own papers filed by the concerned workman it becomes clear that he had not worked on permanent post. One of the requirement for empanelment was that the candidate should have worked on permanent post. In my opinion, the concerned workman had worked casually and not as permanent. He was not eligible in terms of above mentioned advertisement.

7. Hence my award is that non empanelment of the concerned workman by the management is justified and consequently he is not entitled for any relief.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 19 अगस्त, 1998

कां.ग्रा. 1771—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार से. बी.सी.सी.एल. के प्रवर्धन के संबंध नियो-जकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद केन्द्रीय सरकार औद्योगिक अधिकरण कलकत्ता के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 18-8-98 को प्राप्त हुआ था।

[सं. एल-19012/96/86-डी.4 बी/अ ई.ग्रा.सी.सी.-1]
सी. गंगाधरन, डेस्क अधिकारी

New Delhi, the 19th August, 1998

S.O. 1771.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award

of the Central Govt. Industrial Tribunal, Calcutta as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. B.C.C.L. and their workman, which was received by the Central Government on 18-8-98.

[No. L-19012/96/86-D. IVB/IR(C-I)]

C. GANGADHARAN, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT CALCUTTA

Reference No. 28 of 1988

PARTIES :

Employers in relation to the management of
Bharat Coking Coal Limited

AND

Their Workmen.

PRESENT :

Mr. Justice A.K. Chakravarty,
Presiding Officer.

APPEARANCE :

On behalf of Management :

Mr. Arunava Ghosh, Advocate with

Mr. D. Mukherjee, Advocate,

Mr. D. Sen, Advocate and

Mr. R. K. Basu, Advocate.

On behalf of Workmen :

Mr. K.H. Dasan, Advocate with

Mr. S. Sarkar, General Secretary of the Union.

STATE : West Bengal. INDUSTRY : Coal.

AWARD

By Order No. L-19012(96)/86-D IV(B) dated 6th April, 1997 the Central Government in exercise of its powers under section 10(1)(d) and (2A) of the Industrial Disputes Act, 1947 referred the following dispute to this Tribunal for adjudication :

"Whether the 28 employees of Bharat Coking Coal Ltd. 6, Lyons Range, Calcutta-700001 represented by Coal Employees' Union (as per Annexure) who were previously the employees of erstwhile M/s. Lodna Colliery Co. Ltd. and M/s. Andrew Yule & Co. Ltd., are entitled to receive pensionary benefit or commuted value of pension in lieu of the pension ? If not, to what relief the workmen concerned are entitled ?"

ANNEXURE

BIODATA OF THE STAFF WORKING IN BCCL, CALCUTTA OFFICE WHO ARE ELIGIBLE TO PENSION

Name	Date of birth	Date of appointment	Date of retirement
1	2	3	4
1. Sri Haran Ch. Maitra	10-6-26	17-7-61	9-6-86
2. Sri Harendra N. Ghosh	1-8-26	2-7-56	31-7-86
3. „ Bhupendra N. Lahiri	20-11-26	1-6-48	19-11-86
4. „ Ramesh Mukerjee	3-5-27	1-7-45	2-5-87
5. „ Nil Ratan Chakraborty	1-9-27	1-2-48	31-8-87
6. „ Butto Kristo Dass	1-1-29	1-5-53	31-12-88
7. „ Sarju Chowbey	27-12-29	19-10-46	27-12-89
8. „ Sudhir Kr. Chakraborty	2-2-30	24-8-64	1-2-90
9. „ Bimal Ch. Dey	5-9-30	1-5-55	3-3-90
10. „ Md. Hosain	30-12-30	14-9-56	29-12-90
11. „ Rama Pr. Dasghosh	1-2-31	2-1-53	31-1-91
12. „ Amar Nath Mukherjee	Aug' 31	19-8-48	Aug' 91
13. „ Sachindra N. Das	24-4-34	1-4-55	3-3-90
14. „ Naba Gopal Dutta	20-10-34	11-3-57	19-10-94
15. „ Ashok Kr. Dey	30-4-37	2-2-57	31-3-97
16. „ Kashinath Banerjee	15-3-38	2-4-57	14-3-98
17. „ Santimoy Dutta	19-5-39	4-5-67	18-5-99
18. „ Gopal Ch. Kar	3-8-39	1-4-58	2-8-99

1	2	3	4
19. Sri Saroj Mukherjee	28-12-40	1-6-64	27-12-2000
20. " Gauranga Bhattacharjee	1-1-42	1-6-64	31-12-2001
21. " Manabendra N. Dey	15-3-43	1-6-66	14-3-2003
22. " Jatindra Chakraborty	8-9-46	1-9-64	7-9-2006
STAFF OF ANDREW YULE			
1. Sri Avani Bh. Bhattacharjee	6-1-33	13-3-57	5-1-93
2. " Balai Ch. Ghosh	1-2-32	1-1-52	31-1-92
3. " Kartick Palai	10-6-47	12-5-69	9-6-2007
4. " Alik Sankar Mukherjee	9-5-45	3-10-61	18-5-2005
5. " Bhaba Ranjan Das	23-12-40	1-7-64	22-12-2000
6. " Kiranmoy Dutta	15-9-40	3-10-61	14-9-2000

2. The present reference in respect of 28 employees of Bharat Coking Coal Limited (in short BCCL) has arisen at the instance of Coal Employees' Union (in short union).

3. Union's case in short, is that of 28 workmen involved in this reference, 22 of them were employees of erstwhile Lodna Colliery Co. Ltd. and the rest of M/s. Andrew Yule Co. Ltd. By virtue of the Acts of the parliament, all the collieries were taken over and nationalised with effect from certain dates protecting all rights and benefits of the workmen, including retirement, Provident Fund, Gratuity and pension. The union and the concerned employees had been pressing the management for extension of all benefits enjoyed by the workmen under their previous employer including pension. The management, however, assured that the matter will be considered. The management, however, having refused to grant the pensionary benefit to one Subhas Chandra Basu who retired from service of BCCL, a writ application was filed by him in the Calcutta High Court. The case was disposed of with observation that the Company should consider the question of payment of pension to the employees upon independent consideration of the facts of the case and that it should also consider whether or not provision for payment of pension should be made apart from the existing conditions of service of the employees. The management, however, having not taken any step in spite of such direction of the High Court, the union was compelled to raise an industrial dispute which ultimately culminated in the present reference. The union claims that the claim of the employees for pension being lawful, reasonable and just, an Award should be passed in its favour directing the management to introduce benefit of pension scheme in so far as it relates to 28 employees mentioned in the Annexure to the schedule of reference.

4. The case of the management, as it appears from the written statement, in short, is that the Central Govt. by virtue of the Coking Coal Mines (Emergency Provision) Ordinance, 1971 and the subsequent Coking Coal Mines (Emergency Pro-

vision) Act, 1971 and the Coking Coal Mines (Nationalisation) Act, 1972 which came into force on 1-5-1972 took over coking coal mines of the country and the services of the employees of the coking coal mines were also taken over by the Central Government and later by the BCCL. BCCL had a Branch Office in Calcutta after its establishment with the employees whose services were taken over from the private companies at Calcutta. The employees of the private coal companies absorbed in BCCL and stationed at Calcutta through their union, namely, BCC Employees' Union which is subsequently renamed as Coal Employees' union, Calcutta raised the question of extending to the employees at Calcutta the benefits incorporated in the report of the Wage Board for Coal Industry and subsequently the provisions of National Coal Wage Agreement dated 11-12-1974 which came into force from 1-1-1975. The matter was ultimately resolved by a tripartite settlement dated 23-4-1975 which was arrived at between the parties before the R.L.C.(C), Calcutta. Following the said settlement each individual employee was given an option to specify his service conditions, pay scales, method of fixation of pay etc. and all of them exercised the said option and started receiving their pay, allowances and other benefits in terms thereof. After nationalisation of coal mines, the Central Government constituted a collective bargaining forum at the national and industry level for coal industry in 1973 and that forum was named as Joint Bipartite Committee for Coal Industry (in short JBCCI). The said JBCCI formulated number of National Coal Wage Agreements. In spite of the tripartite settlement dated 23-4-1975 the union stated claiming additional payment of pension to its employees taken over from some of the erstwhile Coal Companies on the ground that they are entitled to the pension during the period of their service in the private Coal Companies concerned. The management considered the demand of the union and expressed its inability to accept such demand. The union relied on the provisions of section 17(1) of the Coking Coal Mines (Nationalisation) Act, 1972 in support of its demand.

Thereafter, one Sanjit Chandra Basu, one of the retired workers filed a writ petition in the Calcutta High Court being Civil Rule No. 833(W) of 1978 which was disposed of with this observation that the writ petitioner and the other employees having abandoned their claim for pension in the tripartite settlement and having deliberately opted for new terms and conditions, pensionary benefits will not be available to them. Their Lordships, however kept open the question, namely, 'whether or not besides the existing condition of service a further provision for payment of pension should be made' for consideration by the Company. The management subsequently considered the matter and found that no further provision for payment of pension can be made in view of the fact that any favourable decision will open the flood-gates for further claims and disputes by the other workers, encourage employees to claim benefits and concessions over and above the settlement, the management is not expected to allow such concession and that the workers beings in enjoyment of very favourable service conditions which they would have never received had they been in the service of the private employers that no further provision for pension should be made. The demand of the union being thus totally untenable and baseless besides being without any justification on merit, the management prays for dismissal of the claim of the union.

5. In the rejoinder filed on behalf of the union, it denied the allegations of the management in its written statement.

6. Heard Mr. Arunava Ghosh, learned Advocate appearing for the management and Mr. K. H. Dasan, learned Advocate appearing for the union.

7. It is an admitted position that the workmen covered under the order of reference were enjoying pensionary benefits under their erstwhile private coal companies, namely, M/s. Lodna Colliery Co. Ltd. and M/s. Andrew Yule Co. Ltd. It is also admitted that after the taking over of these companies by the relevant Parliamentary Acts, namely, Coking Coal Mines (Emergency Provision) Act 1971 and Coking Coal Mines (Nationalisation) Act, 1972, the services of the employees of these coal companies were taken over by the Central Govt. and subsequently by BCCL.

8. The union having claimed the continuation of the pensionary benefit which the concerned workmen enjoyed under their erstwhile employers even after the nationalisation of the coal mines and that claim having been denied by the management of the BCCL, it will be necessary to consider the provisions of section 17(1) of the Coking Coal Mines (Nationalisation) Act, 1972 and also section 9 of the said Act for understanding the position of the taken over employees vis-a-vis the BCCL. Section 17(1) runs as follows :

17(1) Every person who is a workman within the meaning of the Industrial Disputes Act, 1947 and has been immediately before the appointed day, in the employment of a coking coal mines or coke oven plant, shall become, on and from the appointed day, an employee of the Central Government or as the case may be, of the Government Company in which the right, title and interest of such mine or plant have vested upon this Act, and shall hold office or service in the coking coal mine or coke oven plant, as the case may be, on the same terms and conditions and with the same rights to pension, gratuity and other matters as would have been admissible to him if the rights in relation to such coking coal mine or coke oven plant had not been transferred to, and vested in, the Central Government or Government Company, as the case may be, and continue to do so unless and until his employment in such coking coal mine or coke oven plant is duly terminated or until his remuneration, terms and conditions of employment are duly altered, by the Central Government or the Government Company."

Under section 9(1) of the said Act "every liability of the owner, agent, manager or managing contractor of a coking coal mine or coke oven plant, in relation to any period prior to the appointed day shall be liability of such owner, agent, manager or managing contractor as the case may be, and shall be enforceable against him and not against the Central Government or the Government Company."

9. It is therefore clear on a plain reading of these two provisions that any liability of payment to any taken over employee before the appointed day i.e. the day on which their service was transferred to the Central Government or the BCCL, shall remain with the erstwhile employer and the existing terms and conditions under the private employer shall remain intact till the employment of such employee under his erstwhile employer is duly terminated and as per section 17(3) of the said Act it shall stand terminated on and from the specific date. Section 17(1) of the said Act also lays down that the taken over employees shall be governed by the terms and conditions of their previous service till his remuneration, terms and conditions of employment are duly altered by the Central Government or the Government Company.

10. I have already stated that the tripartite settlement entered into between the management of BCCL and Bharat Coking Coal Employees' Union in presence of the R.L.C.(C), Calcutta on 23rd April, 1975, It is marked Ext. W-1 in this case.

This tripartite settlement covers entire gamut of the claims of the workers which were conceded by the management. In item (xvi) of the said settlement it is clearly stated that "the terms and conditions in accordance with the above agreement as would be communicated to the employees as per Annexure-III shall be deemed to have come into force with effect from 1-9-1974 and from the said date the existing pay scales and other conditions shall be deemed to have ceased to operate. The provisions of Section 17 of the Coking Coal Mines (Nationalisation) Act, 1972 or section 14 of the Coal Mines Nationalisation Act, 1973, as the case may be, shall be deemed to have ceased to operate from the date aforesaid." It is an admitted position that following the said settlement each individual employee was also given option specifying the service condition, pay scale, method of fixation etc. and all of them exercised their option and started drawing their pay, allowances and other benefits in terms thereof.

11. The three witnesses examined by the union in this case admitted in their evidence that no provision of pension is made in the settlement but they made representation to the management for providing pension. They also referred to Ext. W-2 which is a letter of the General Manager (Sales) to the Secretary of the union stating that though the terms and conditions of the employees would be regulated as per the agreement, still then, the union's claim for pension in respect of the four of its employees shall be considered on merit.

12. In respect of this matter Shri K. K. Basu, Deputy Personnel Manager of the BCCL stated in this evidence that in terms of the Order of the High Court the management considered the feasibility of granting pensionary benefit to its employees and found that such benefit cannot be given.

13. Mr. Ghosh, learned Advocate appearing on behalf of the management submitted that in view of the admitted position that the union had entered into the tripartite settlement by which the terms and conditions of service were altered and specified in accordance with section 17 of the Coking Coal Mines (Nationalisation) Act, 1972 and the concerned employees have opted for an enjoying the higher scale of pay and other benefits in accordance with the said agreement that no claim apart from what has been granted under the agreement, can be claimed by the union. Mr. Dasan, learned Advocate appearing on behalf of the union, however, submitted that there being no specific agreement that pension will not be granted to the concerned workmen and that under section 17 of the Coking Coal Mines (Nationalisation) Act, 1972 the rights of the employees who were enjoying the pensionary benefits having been specially reserved under that section, the agreement cannot alter the statutory right of these

employees to get the pension. Apart from the clear unreasonableness of such claim of the union in view of their voluntarily abandonment and foregoing of such claim in consideration of getting higher pay and allowances alongwith other benefits which they are admittedly getting in terms of the agreement, the claim is not sustainable on legal ground as well. It is true that section 17(1) of the Coking Coal Mines (Nationalisation) Act, 1972 speaks of employees' right to service under the Government on the same terms and conditions along with right to receive pension, gratuity and other matters till employee's service under the erstwhile employer is terminated or altered under the new agreement. The right to receive pension and gratuity form part of the condition of service which is governed by the terms and conditions laid down for the same. Thus, the right to receive pension and gratuity being part of terms and conditions of service of the employee, no special emphasis should be made on these two words. The alternation of the terms and conditions of service being capable of taking within its old pension and gratuity, any special claim for the same, if not mentioned in the terms of agreement, cannot be entertained.

14. The self-same point came up for consideration before the Hon'ble High Court at Calcutta in Civil Rule No. 833(W) of 1978. The said writ petition was filed by one of the retired employees. While rejecting the contention of the writ petitioner that any independent claim for pension apart from what was agreed upon between the parties in terms of the agreement cannot be entertained, their Lordships rejected the petition both on legal ground as well as in equitable grounds. Since, however, the management agreed to consider the claim of the union regarding payment of pensionary benefit to four of its employees vide Ext. W-2 that the High Court further directed that the management shall reconsider the matter. The management rejected the claim after due reconsideration. It is not for this Tribunal to consider the reason which promoted the management to reject the claim of the union regarding payment of pensionary benefits to these employees. There, however, being very good and cogent reason for its refusal to pay the pensionary benefits and since the management is precluded under the law, as stated above by me, to alter the terms of the tripartite settlement that the management in my opinion, rightly rejected the claim upon consideration.

15. So, upon consideration of the facts and circumstances of the case and the position of law in this matter. I am of the opinion that the union has hopelessly failed to prove that the concerned 28 employees have any right to receive pensionary benefits or commuted value of the pension in lieu of the pension. They shall not accordingly be entitled to receive such benefits.

This is my Award.

A. K. CHAKRAVARTY, Presiding Officer

Dated, Calcutta,

The 5th June, 1998.

नई दिल्ली, 21 अगस्त, 1998

का०आ० 1772--औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बैंक ऑफ महाराष्ट्र के प्रबन्धन के संबंध में नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण जबलपुर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 20-8-98 को प्राप्त हुआ था।

[स० एल-12012/456/90/आई.आर.-(बी.-II)]

सी. गंगाधरन, डेस्क अधिकारी

New Delhi, the 21st August, 1998

S.O. 1772.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Jabalpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the managment of Bank of Maharashtra and their workman, which was received by the Central Government on 20-8-98.

[No. L-12012/456/90-IR(B-II)]

C. GANGADHARAN, Desk Officer

अनुबन्ध

केन्द्रीय औद्योगिक अधिकरण एवं श्रम न्यायालय,

जबलपुर (मध्य प्रदेश)

डी.एन. दीक्षित

पीठासीन अधिकारी

प्र. क्रं. सी जी आई टी/एल सी (आर) (134)/1991

उप महासचिव,

यूनियन ऑफ दी महाराष्ट्र बैंक एम्प्लाइज,

द्वारा : श्री जी.पी. गुप्ता,

हनुमान मंदिर गली, यादव काशोनी,

जबलपुर (म.प्र.)

जनरल सेंक्रेटरी,

बैंक ऑफ महाराष्ट्र एम्प्लाइज यूनियन,

द्वारा :—39, भद्रभद्रा रोड, टी टी नगर,

न्यू मार्केट, भोपाल (म.प्र.)

— प्रार्थीगण

विरुद्ध

असिस्टेंट जनरल मैनेजर,

मध्य प्रदेश जैन,

बैंक ऑफ महाराष्ट्र, शक्ति निवास,

14-मालवीया नगर, भोपाल (म.प्र.)

र-- प्रतिप्राप्ती

अर्वाड

दिनांक, 5 अगस्त, 1998

1. भारत सरकार, श्रम मंत्रालय, नई दिल्ली ने अपने आदेश संख्या एल-12012/456/90-आई.आर.(बी-2) दिनांक 26-2-91 के द्वारा निम्नलिखित विवाद निराकरण हेतु इस अधिकरण को भेजा है :—

अनुसूची

"Whether the action of the Bank of Maharashtra is justified in interpreting the words 'knowledge of typing' (appearing in schedule II of settlement dated 13-4-87) as a requirement for the post of telex operator as 'having a typing speed of 30 WPM' and insisting on the candidate passing the typing test at 30 WPM of submitting a certificate from Government recognised institutes to that effect? If not to what relief the workman who have been deprived of the post of Telex Operator due to the requirement of typing speed of 30WPM entitled?"

2 महाराष्ट्र बैंक कर्मचारी यूनियन के अनुसार बैंक कर्मचारियों की सेवा शर्तें शास्त्री अर्वाड, देसाई अर्वाड और औद्योगिक विवाद अधिनियम के अन्तर्गत हुए समझौते के अनुसार चलती है। दि. 13-4-87 को जनरल मैनेजर, महाराष्ट्र बैंक ने यूनियन के साथ समझौता किया, जिसके आधार पर बैंक के कर्मचारियों को अलाउंस वाली पोस्ट पर नियुक्त होना था। यह समझौता औद्योगिक विवाद अधिनियम के अन्तर्गत किया गया, इस कारण इसका वैधानिक आधार है और नियमों के अनुसार है। इस समझौते के शेड्यूल--2 में टेलिक्स ऑपरेटर पद के संबंध में भी लिए गए निर्णय है। इस समझौते में यह उल्लेख है कि टेलिक्स ऑपरेटर के पद पर अलाउंस है और इस पद हेतु टाइपिंग का ज्ञान आवश्यक है। इसमें यह उल्लेख नहीं है कि टाइपिंग की गति क्या होनी चाहिए। इसमें यह भी उल्लेख नहीं है कि इस संबंध में किसी प्रमाण-पत्र की आवश्यकता है। टेलिक्स ऑपरेटर के पद हेतु रिजनल मैनेजर, जबलपुर ने दिनांक 30-9-89 को टेलिक्स ऑपरेटर पद हेतु एक पत्र दिया, जिसमें उल्लेख है कि वह किसी सरकार से मान्यता प्राप्त संस्थान से सर्टिफिकेट प्रस्तुत करें कि उसने यह टाइपिंग टेस्ट पास किया है कि वह 30 शब्द प्रति मिनट टाइप कर सकता है। इस प्रकार का आदेश समझौता दिनांक 13-4-87 के विपरीत है। इस समझौते में यह उल्लेख नहीं है कि जो भी कर्मचारी टेलिक्स ऑपरेटर के पद पर नियुक्त होगा, उसकी टाइपिंग की गति कम से कम 30 शब्द प्रति मिनट रहेगी। बैंक के किसी पद के लिए ऐसा प्रमाण-पत्र नहीं लिया जाता कि कर्मचारी ने टाइपिंग परीक्षा पास की है और उसकी गति 30 शब्द प्रति मिनट है। टेलिक्स ऑपरेटर का काम टेलिक्स मशीन को चलाना है। पत्र भेजने के लिए टेलिक्स ऑपरेटर को टेलिक्स नंबर डायल करना पड़ता है और लाइन मिलने पर मेसेज प्रिंट करता

पड़ता है। बाहर जब मेसेज आता है तो इसे प्राप्त कर टेलेक्स आपरेटर संबंधित कर्मचारी को भेज देता है। इस सब कार्य के लिए किसी भी टाइपिंग स्पीड की जरूरत नहीं है। बैंक ने जानबूझकर समझौते के विपरीत टेलेक्स आपरेटर पद हेतु न्यूनतम टाइपिंग स्पीड 30 शब्द प्रति मिनट और सरकारी मान्यता प्राप्त संस्थान के सर्टिफिकेट की शर्तें डाली हैं। बैंकिंग सर्विसेज रिक्रूटमेंट बोर्ड ने भी सरकार से मान्यता प्राप्त संस्थाओं से टाइपिंग स्पीड के सर्टिफिकेट के बारे में कभी मांग नहीं की। अगर बैंक को टेलेक्स आपरेटर पद हेतु टाइपिंग स्पीड और सर्टिफिकेट की आवश्यकता थी तो इस संबंध में समझौते में परिवर्तन आवश्यक था। बैंक एकतरफा कार्यवाही नहीं कर सकती थी। यूनियन चाहती है कि टेलेक्स आपरेटर पद पर जो न्यूनतम योग्यता 30 शब्द प्रति मिनट टाइपिंग की रखी गई है तथा दूसरी शर्त की सरकारी मान्यता प्राप्त संस्थान से स्पीड के बारे में सर्टिफिकेट प्रस्तुत किया जाए, समझौते की शर्तों के विपरीत है और निरस्त होने योग्य है।

3. बैंक ऑफ महाराष्ट्र के अनुसार यूनियन को रिजनल मैनेजर, जबलपुर को ही पक्षकार बनाना था। असिस्टेंट जनरल मैनेजर, भोपाल को अकारण ही पक्षकार इस प्रकरण में बनाया गया है। दिनांक 13-4-87 का समझौता रिजनल लेबर कमिशनर (सेन्ट्रल), बम्बई के समक्ष बैंक और दोनों यूनियन के बीच हुआ है। इसका सम्बन्ध बैंक के सभी कर्मचारियों से है। द्विपक्षीय समझौता दिनांक 19-10-66 के अन्तर्गत समझौता दिनांक 13-4-87 हुआ जो सेवा शर्तें द्विपक्षीय समझौता दि. 19-10-66 में थी, इसके अतिरिक्त यह तय हुआ कि ज्यादा जिम्मेदारी के जो कर्मचारी कार्य करते हैं, उनको स्पेशल अलाउंस दिया जाए। इस प्रकार टाइपिंग अलाउंस के लिए जब न्यूनतम टाइपिंग स्पीड 30 शब्द प्रति मिनट के स्कील्ड टेस्ट की अनिवार्यता है तो इससे ज्यादा अलाउंस मिलने वाले पद टेलेक्स आपरेटर के लिए भी स्कील्ड टेस्ट की आवश्यकता है। बैंक में पहले भी टेलेक्स आपरेटर पद हेतु स्कील्ड टाइपिंग टेस्ट हुए हैं। टेलेक्स आपरेटर का काम टेलेक्स मशीन चलाने का है। इस मशीन चलाने में टाइपिंग स्कील अति आवश्यक है। कारण यह है कि टेलेक्स मशीन को जो समय मिलता है, उसका किराया बैंक को देना पड़ता है। अगर स्पीड धीमी हुई तो ज्यादा किराया बैंक को देना पड़ेगा। टाइपिंग स्पीड जानने के लिए टाइपिंग टेस्ट करना आवश्यक है। जबकि सामान्य टाइपिस्ट की न्यूनतम स्पीड 30 शब्द प्रति मिनट होती है तो यह योग्यता टेलेक्स आपरेटर के पद पर रखना किसी प्रकार भी अनुचित या नियमों के विपरीत नहीं है। टाइपिस्ट के पद से टेलेक्स आपरेटर का पद ज्यादा वेतनमान का और सीनियर है। ऐसी स्थिति में कम से कम टाइपिस्ट की योग्यता टेलेक्स आपरेटर में होना आवश्यक है। यूनियन ने असिस्टेंट लेबर कमिशनर (सेन्ट्रल), भोपाल के समक्ष वर्ष 89 में यह विवाद उत्पन्न किया कि टेलेक्स आपरेटर पद हेतु 30 शब्द प्रति मिनट टाइपिंग स्पीड आवश्यक है। इस प्रकार यूनियन

भोपाल में एक निष्कर्ष निकालती है और उसके विपरीत निष्कर्ष जबलपुर में निकालती है। भोपाल में यह पद टाइपिंग टेस्ट के पश्चात् जिस कर्मचारी ने न्यूनतम स्पीड 30 शब्द प्रति मिनट बताया और जो इस प्रकार के स्पीड वाले कर्मचारियों में सबसे वरिष्ठ था, दिया गया। जहां तक प्रोफिसियेंसी सर्टिफिकेट का सवाल है, इसकी मांग टेम्पोरेरी वेंकेन्सी में और नये योग्य कर्मचारियों के संबंध में की जाती है। इनके संबंध में टाइपिंग स्पीड निर्धारित करने का और कोई मापदण्ड नहीं है। यूनियन विभागीय टेस्ट की विरोधी है, इस कारण प्रोफिसियेंसी सर्टिफिकेट की मांग की जाती है। यूनियन ने अकारण ही यह विवाद खड़ा किया है। टेलेक्स आपरेटर के संबंध में एक समझौता दिनांक 26-5-88 को किया गया है। इस समझौते के शेड्यूल — 2 में यह उल्लेख है कि टेलेक्स आपरेटर के पद के लिए न्यूनतम टाइपिंग स्पीड 30 शब्द प्रति मिनट होगी। यूनियन की भोपाल शाखा ने इसी शेड्यूल का सहारा लेकर असिस्टेंट लेबर कमिशनर (सेन्ट्रल), भोपाल के समक्ष टेलेक्स आपरेटर के पद हेतु विवाद किया था। इस विवाद के फलस्वरूप श्री राघव गोलांनी को टेलेक्स आपरेटर भोपाल में बनाया गया, जिनकी स्पीड टेस्ट में प्रति मिनट गति 39 शब्द आई थी और जो अन्य उम्मीदवारों से वरिष्ठ थे। श्री जी. पी. गुप्ता ने स्वयं स्कील्ड टेस्ट दिया है और उन्हें व्यक्तिगत जानकारी है कि टेलेक्स आपरेटर के पद के लिए स्कील्ड टेस्ट लिया जाता है तथा न्यूनतम टाइपिंग की स्पीड 30 शब्द प्रति मिनट अनिवार्य है। बैंक ने समझौता दिनांक 13-4-87 का उल्लंघन नहीं किया है। बैंक के अनुसार यूनियन ने अकारण ही विवाद उत्पन्न किया है और यह निरस्त होने योग्य है। बैंक चाहती है कि उसने जो 28-12-91 को टेलेक्स आपरेटरों के पद हेतु टाइपिंग स्कील्ड टेस्ट लिया है, उसमें जो सबसे वरिष्ठ कर्मचारी ने 30 शब्द प्रति मिनट टाइप किया हो, उसे टेलेक्स आपरेटर नियुक्त करने की अनुमति दी जाए। वर्तमान विवाद के कारण दो स्थाई पद टेलेक्स आपरेटर के खाली पड़े हैं। इस कारण इन पदों पर जो नियुक्तियां हों, उन्हें वेतन के एरियस नहीं दिलाए जाए। यूनियन की भयंसा, बोगस क्लेम करने के लिए की जाए।

4. डब्ल्यू-1 सरकूलर क्षेत्रीय प्रबन्धक, बैंक ऑफ महाराष्ट्र ने दिनांक 30-9-89 को जारी किया। डब्ल्यू-2 पत्र क्षेत्रीय प्रबन्धक बैंक ऑफ महाराष्ट्र ने राम मोहन आयाची, लिपिक को दिनांक 8-12-89 को भेजा। इन दोनों में यह उल्लेख है कि टेलेक्स आपरेटर के पद हेतु न्यूनतम टाइपिंग स्पीड 30 शब्द प्रति मिनट होना आवश्यक है। तथा सरकार से मान्यता प्राप्त संस्थान से इस संबंध में सर्टिफिकेट भी प्रस्तुत करना आवश्यक है। इस संबंध में बैंक ने अपनी लिखित कथन की कड़िका-4, सब-पैरा-प में बताया है कि प्रोफिसियेंसी सर्टिफिकेट केवल टेम्पोरेरी वेंकेन्सी के लिए था। इसके अतिरिक्त यह निर्धारित करना मुश्किल था कि कर्मचारी की टाइपिंग स्पीड कितनी है। यूनियन स्कील्ड टेस्ट के खिलाफ थी, इस कारण भी आवश्यक था कि प्रथम दृष्टया यह ज्ञात हो कि प्रति मिनट टाइपिंग स्पीड कितनी है। यही उल्लेख प्रदर्श-डब्ल्यू-1 और प्रदर्श-डब्ल्यू-2 में है। इसका निष्कर्ष

है कि टैम्पोरेरी पोस्ट के लिए टाइपिंग स्पीड का सर्टिफिकेट सरकार से मान्यता प्राप्त संस्थाओं से मांगा गया था और यह आवश्यकता स्थाई पदों के लिए नहीं है।

5. दिनांक 13/4/87 को जो समझौता रिजल लैबर कमिशनर (सैन्ट्रल) बम्बई के समक्ष युनियन और बैंक में हुआ, वह प्रदर्श-डब्ल्यू-3 है। इसके शैड्यूल-2 में यह उल्लेख है कि टैलेक्स अपरेटर के लिए टाइपिंग का ज्ञान होना आवश्यक है। इसी समझौते में यह भी उल्लेख है कि अंग्रेजी टाइपिस्ट के लिए कम से कम 30 शब्द प्रति मिनट टाइप करना आवश्यक है। टैलेक्स अपरेटर का पद टाइपिस्ट से वरिष्ठ है। अलाउंस भी टाइपिस्ट से ज्यादा मिनता है : ऐसी स्थिति में यह निष्कर्ष न्यायोचित है कि टैलेक्स अपरेटर को टाइपिस्ट की योग्यता होना ही चाहिए। ऐसी स्थिति में हास्यास्पद हो जावेगी कि जो कर्मचारी टाइपिस्ट नहीं हो सकता वह टैलेक्स अपरेटर नियुक्त हो जाए।

6. प्रदर्श-एम-9 वह समझौता है जो पुलाउन्स पोस्ट के लिए बैंक और महाराष्ट्र बैंक कर्मचारी युनियन के बीच दिनांक 26 मई 88 को हुआ। इनके शैड्यूल-2 में टैलेक्स अपरेटर के पद के लिए प्रति मिनट कम से कम 30 शब्द टाइप करना निर्धारित योग्यता है। इस समझौते से यह बात स्पष्ट हो गई कि युनियन इस बात से सहमत है कि टैलेक्स अपरेटर पद के लिए न्यूनतम 30 शब्द प्रति मिनट टाइप करना आवश्यक है।

7. युनियन का यह कहना है कि समझौता दिनांक 13/4/87 के शैड्यूल-2 में टैलेक्स अपरेटर पद के लिए निर्धारित योग्यता केवल टाइपिंग का ज्ञान है। इसमें यह उल्लेख नहीं है कि न्यूनतम टाइपिंग स्पीड प्रति मिनट क्या होनी चाहिए : इनके विपरीत बैंक का यह कहना है कि टैलेक्स अपरेटर का पद टाइपिस्ट के पद से सीनियर है तथा इसमें स्पेशल अलाउन्स टाइपिस्ट से ज्यादा है, इस कारण न्यूनतम टाइप स्पीड रखना आवश्यक है। मैं बैंक के तर्कों को स्वीकार करता हूं।

8. टैलेक्स अपरेटर को पोस्ट आफिस से टाइम लेकर मैसेज टाइप करना पड़ता है। जितने समय मशीन चलती है, उसका किराया पोस्ट आफिस बसूल करता है। अगर ऐसी स्थिति में टैलेक्स अपरेटर की टाइपिंग कमजोर हुई तो ज्यादा राशि देनी होगी। इस संबंध में दूसरी बात यह है कि आवश्यक है कि मैसेज सही टाइप हो अगर गलत टाइप होता है तो पाने वाला मैसेज गलत समझेगा और स्पष्टीकरण आदि में समय नष्ट होगा बहुत से ग्राहकों को यह सुविधा देनी पड़ती है। इस कारण पोस्ट आफिस ज्यादा समय एक टैलेक्स को नहीं दे सकती। इस कारण अगर एक्सेज स्पीड नहीं रखी तो बैंक का समय समाप्त हो जावेगा और मैसेज अधूरी रह जायेंगी। निष्कर्ष यह है कि आवश्यक है कि टैलेक्स अपरेटर सामान्य से ज्यादा गति से टाइप करने वाला और सही टाइप करने वाला कर्मचारी हो इसीलिए उसे विशेष वेतन दिया जाता है। इस पद के लिए अच्छी स्पीड और सही टाइप करना जरूरी आवश्यकता है।

9. इंगलिश टाइपिस्ट की न्यूनतम स्पीड बैंक ने 30 शब्द प्रति मिनट रखी है। यही स्पीड बैंक ने टैलेक्स अपरेटर की रखी है। इसी का उल्लेख समझौता प्रदर्श एम-9 दिनांक 26/5/88

में है। बैंक ने टैलेक्स अपरेटर पद हेतु जो 30 शब्द प्रति मिनट की न्यूनतम मांग रखी है, वह वैधानिक है और प्रैक्टिकल है।

10. रिजल मैनेजर, महाराष्ट्र बैंक, जबलपुर में दो पद स्थाई टैलेक्स अपरेटर के रिक्त हैं। इस पद हेतु टेस्ट हो चुके हैं। इसमें जो भी वरिष्ठ कर्मचारी जिसको 30 शब्द प्रति मिनट टाइप करना आता है, को नियुक्त करना न्यायोचित होगा।

11. ऊपर लिखी विवेचना का निष्कर्ष यह है कि रिजल मैनेजर, बैंक ऑफ महाराष्ट्र, जबलपुर के द्वारा टैलेक्स अपरेटर के स्थाई पदों को भरने के लिए अपनाई गई प्रक्रिया विधिवत है और द्विपक्षीय समझौता दिनांक 13/4/87 के अनुसार है। युनियन ने अकारण ही वर्तमान विवाद उत्पन्न किया है। अवाई दिया जाता है कि टैलेक्स अपरेटर पद पर स्पेशल अलाउन्स पाने के लिए टाइपिंग योग्यता प्रति यूनिट 30 शब्द विधिवत है और इसे जानने के लिए टाइपिंग टेस्ट भी विधिवत है। दोनों पक्ष इस प्रकरण का अपना-अपना व्यय वहन करें।

12. नियमानुसार अवार्ड की प्रतियां भारत सरकार, श्रम मंत्रालय, नई दिल्ली को प्रेषित की जाती हैं।

डी. एन. दीक्षित, पीठासीन अधिकारी

नई दिल्ली, 21 अगस्त, 1998

का आ. 1773.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 18 के अनुसरण में, केन्द्रीय सरकार पंजाब नेशनल बैंक के प्रबन्ध तंत्र के संबद्ध नियोजकों और उनके कर्मचारियों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण पटना के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 20-8-98 को प्राप्त हुआ था।

[सं० एल-12012/314/16 आई आर (बी-II)]

सी. गंगाधरन, डेस्क अधिकारी

New Delhi, the 21st August, 1998

S.O. 1773.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Patna as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Punjab National Bank and their workman, which was received by the Central Government on 20-8-98.

[No. L-12012/314/96-IR(B-II)]

C. GANGADHARAN, Desk officer

ANNEXURE

BEFORE THE PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, PATNA

Reference No. 9 (c) of 1997

BETWEEN :

Management of Punjab National Bank, Zonal Office, 'H' Block, Patna

AND

Their workman represented by PNB Staff Union, Patna.

APPEARANCES :

For the Management : Sri Uttam Kumar, Manager.
For the workman : None.

PRESENT :

Sri Raja Ram Singh, Presiding Officer, Industrial Tribunal, Bailey Road, Patna.

AWARD

The 11th August, 1998

By adjudication Order No. L-12012/314/96-IR (B-II) dated 18-8-1997 the Central Government (Govt. of India) in the Ministry of Labour, New Delhi referred u/s 10(1)(d) of the Industrial Disputes Act, 1947 (hereinafter to be referred as 'the Act') the following dispute between the Management of Punjab National Bank, Zonal Office, 'H' Block, Patna and their workman represented by PNB Staff Union, Patna for adjudication :

"Whether the action of the Management of Punjab National Bank in terminating the services of Sri Birendra Ram is legal and justified? If not, to what relief the said workman is entitled?"

2. After receipt of the adjudication order the reference was registered and parties were directed to appear in this Tribunal. Both parties appeared but no statement of claim has been filed upto now in spite of several opportunities given to workman. It seems the workman is not interested in this case and now no dispute exists between the parties. So there is no alternative but to pass no dispute award. In this view of the matter, I give no dispute award.

3. This is my award.

RAJA RAM SINGH, Presiding Officer

नई दिल्ली, 21 अगस्त, 1998

का.आ. 1774 औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार पंजाब नेशनल बैंक के प्रबन्ध तंत्र के संबद्ध नियोजकों और उनके कर्मचारियों के बीच, अनुबन्ध में निदिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण पटना के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 20-8-98 को प्राप्त हुआ था।

[स.एल.-12012/411/96-आर्.बी.-II]

सी. गंगाधरन, डेस्क अधिकारी

New Delhi, the 21st August, 1998

S.O....1774.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award 2262 GI/98—16.

of the Industrial Tribunal, Patna as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Punjab National Bank and their workman, which was received by the Central Government on 20-8-98.

[No. L-12012/411/96-IR(B-II)]

C. GANGA DHARAN, Desk Officer

ANNEXURE

Before the Presiding Officer,

Industrial Tribunal, Patna.

Reference No. 11(c) of 1997

Management of Punjab National Bank 'H' Block, Patna and their workman Sri Bisheshwar Yadav.

For the Management; Sri Uttam Kumar, Manager.

For the Workman; Sri Ram Chandra Lal Das,

Advocate

Present; Sri Raja Ram Singh, Presiding Officer, Industrial Tribunal,

Patna

AWARD

The 12th August, 1998

By adjudication order No. L-12012/411/96 IR/ (B-II) dated 29-8-1997 the Central Government (Govt. of India) in the Ministry of Labour, New Delhi referred u/s 10(1)(d) of the Industrial Disputes Act, 1947 (hereinafter to be referred as 'the Act') the following dispute between the Management of Punjab National Bank, Zonal Office, 'H' Block, Patna and their workman Sri Bisheshwar Yadav for adjudication :

"Whether the action of the Management of Punjab National Bank in terminating the services of Sh. Bisheshwar Yadav is legal and justified? If not to that relief the said workman is entitled?"

2. After receipt of the adjudication order the reference was registered and parties were directed to appear in this Tribunal. Both parties appeared and written statement on behalf of the workman was filed. Copy of the written filed on behalf of the workman was served on the Management and the Management filed its written statement. The reafter in spite of the several opportunities the workman has not appeared upto now. It seems the workman is not interested in this case and now no dispute exists between the parties. So there is no alternative but to Pass no dispute award. In this view of the matter, I give no dispute award.

RAJA RAM SINGH, Presiding Officer

नई दिल्ली, 21 अगस्त, 1998

का.मा. 1775—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बैंक ऑफ बड़ोदा के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबन्ध में निविष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, पुणे के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 20-8-98 को प्राप्त हुआ था।

[सं. एल-12012/93/96-आई.मार.(बी-II)]

सी. गंगाधरन, डेस्क अधिकारी

New Delhi, the 21st August, 1998

S.O.1775.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Pune as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Bank of Baroda and their workman, which was received by the Central Government on 20-8-98.

[No. L-12012/93/96-IR(B-II)]

C. GANGADHARAN, Desk Officer

ANNEXURE

BEFORE SHRI S.S. HIRURKAR, INDUSTRIAL

TRIBUNAL, MAHARASHTRA AT PUNE.

REFERENCE (IT) NO. 6 OF 1997

ADJUDICATION

BETWEEN

Bank of Baroda, Pune,

AND

The workman employed under them
In the matter of termination of
services of Shri Dilip N. Kul-
karni.

Appearances ; Shri Lancy L. D'Souza for the
First Party

Shri Vinay D. Borwankar for the Second
Party.

AWARD

(Date : 25-6-1998)

This is a reference referred by the Government of India, Ministry of Labour, New Delhi, by the Order dated 5-3-1997 in respect of an industrial dispute between the management of Bank of Baroda and its employees. For adjudication, under Section 10(2A) and 1(d) of the Industrial Disputes Act, 1947 over the demand specified in the Schedule attached to the Order of reference. The Schedule of reference reads as under:

"Whether the action of the management of Bank of Baroda, Regional Office, Pune, in relation to its Velhapur Branch in terminating the services of Shri Dilip N. Kulkarni in the year 1988 is justified? If not, to what relief is the said workman entitled".

2. After the receipt of the said reference, notices were issued to both the parties. The second party workman has filed his statement of claim whereas the first party Bank has also appeared and filed its written statements. As per the statement of claim filed by the second party workman, it is his case that he was engaged by the first party Bank as a sub-staff on daily wages of Rs. 20/- at Velhapur Branch, Tal. Malasshiras, Dist. Solapur. He has worked there from 1-8-1987 to 16-4-1988 continuously. His services were terminated by the Bank orally without assigning any reason to him and while terminating his services, retrenchment compensation, or notice to notice pay in lieu of notice, as contemplated under Section 25F of the Industrial Disputes Act, 1947, was not given to him. Therefore, according to the second party workman, the action of the first party Bank in orally terminating his services was illegal and amounts to unfair labour practice. Hence, it was prayed by the second party workman for reinstatement with full back-wages and continuity of service.

3. The first party Bank has filed its written statement and raised a preliminary objection regarding the maintainability of the reference on the ground that it is barred by limitation. It is submitted by the Bank that the second party workman has approached this Tribunal at a very belated stage and no explanation was given by the second party workman why such delay was caused in approaching the Tribunal. It was further contended by the first party Bank that the second party workman was engaged as a casual on daily wages in view of the exigency of work. Whenever the work was available, he was engaged as a sub-staff as casual on need basis at the Velhapur Branch of the Bank and he was paid Rs. 20/- per day as wages. As there was no work available for the second party workman, his services were terminated orally by the Bank. It is denied by the Bank that the said termination was in any way illegal or there was any unfair labour practice adopted by the Bank. According to the Bank the services of the second party workman were not engaged after the date of termination as the Bank did not need his services as a casual employee.

Therefore, non-engagement of the workman after the date of termination could not be said to be unlawful, illegal or arbitrary termination as alleged by the second party workman. It is also submitted by the Bank that the second party workman has not put in continuous service in the Bank for more than one year, he being a casual employee and therefore the question of giving any notice or any payment does not arise. It is denied by the Bank that it has violated the provisions of the Industrial Disputes Act, 1947, as alleged by the second party workman.

4. The first party Bank has strongly denied that the second party workman has worked for more than 240 days as alleged in the statement of claim. It is specifically submitted by the Bank that the workman was engaged on day to day basis as a casual employee. Therefore, the question of considering Sundays and public Holidays does not arise for the purpose of calculating his period of continuous service. It is made clear by the Bank that inadvertently the authorities at the Velhapur Branch had paid Rs. 20/- per day to the second party workman. However, after realising the same, the Bank has offered to pay the arrears for all the days of work put in by the second party workman, before the Conciliation Officer and the amount of Rs. 2,537/- was offered to him which he has accepted.

5. Lastly, the first party Bank has submitted that the persons who have passed S.S.C. can apply for the vacancies in clerical cadre and in respect of those who are graduates, they are eligible for the posts in the Officer cadre. However, with a view to give an opportunity to those unfortunate persons, who have not been able to complete their education or who have very less educational qualifications, the Bank has kept the vacancies of sub-staff peon for such persons. This policy of the Bank can, by no stretch of imagination, be termed as unfair, illegal or bad in law. The Bank has further submitted that it had inadvertently engaged the second party workman as casual and on realising its mistake, it discontinued engaging him as a casual worker thereafter. Therefore, the action of terminating on the part of the Bank could not be termed as unjustified as alleged by the second party workman. According to the Bank, the termination being legal, the reference deserves to be dismissed.

6. In view of the Schedule of reference, following points arise for my determination :

Whether the termination of services of the second party workman was illegal and in contravention of the provisions of the Industrial Disputes Act, 1947 ?

2. Whether the services of the second party workman, Shri Dilip N. Kulkarni, were terminated by the first party Bank illegally and the said action of the Bank was unjustified ?

3. Whether the second party workman is entitled for any relief ?

7. I record my findings for all the issues in the negative, for the reasons mentioned below.

8. Admittedly, according to the second party workman, he was engaged by the first party Bank as a sub-staff on daily wages for the period from 1-8-1987 to 16-4-1988 and his services were terminated by the Bank orally without following due process of law and in contravention of the provisions of the Industrial Disputes Act, 1947. In support of his contention, the second party workman has adduced the oral evidence in addition to the documentary evidence on record. In his deposition, the workman has specifically deposed that he was working as peon from 1-8-1987 to 13-8-1988 in the first party Bank, Velhapur Branch and his services were terminated orally by the then Branch Manager with effect from 13-8-1988. While terminating his services, compensation, one month's wages in lieu of notice or one month's notice was not given to him, but the difference of wages in view of the payment of Minimum Wages Act was paid to him in the office of the Labour Commissioner, Pune which has accepted. The workman was cross-examined; but nothing could be brought on record to falsify his statement. Only it has come in the admission of the workman that he is working as a Clerk in Shikshak Pat Sanstha, Solapur since August 1990 and at present, he is getting Rs. 3,500 per month as salary.

9. The first party Bank has also examined one witness by name Shri Vilas Motiram Sonawane, Agricultural Manager of the Bank at Shirampur Branch, who was working at Velhapur Branch during the said period as Agricultural Officer. He has stated in his deposition that the workman Shri Kulkarni was appointed as sub-staff on daily wages. He was never appointed as regular sub-staff as his name was not referred by the Employment Exchange. It is also come in his cross-examination that Shri Kulkarni was appointed by the Branch Manager, orally and no procedure of selection was followed by taking interview at that time. It is also admitted by him that no notice or notice pay was given to the workman at the time of termination. So also, the retrenchment compensation was not paid to him.

10. Thus, taking into consideration the oral as well as documentary evidence on record, it is very much crystal clear that the second party workman was engaged on daily wages as sub-staff for the period from 1-8-1987 to 16-4-1988. It is pertinent to note that the second party workman has filed statement showing details of actual working days at Annexure 'A' to the statement of claim. From the said statement, it is come on record that the second party workman has not worked with the Bank for continuous period of one year or he has not worked for 240 days.

11. Now when it is the case of the second party workman that the first party Bank was under obligation to follow the due process of law under the provisions of the Industrial Dispute Act, 1947 while terminating his services, it means that the workman has referred to the provisions of Section 25F of the I.D. Act, 1947. Section 25F provides for conditions precedent to retrenchment of workmen and it reads as under:

"No workman employed in any industry who has been in continuous service for not less than one year under an employer shall be retrenched by that employer until—

- (a) the workman has been given one month's notice in writing indicating the reasons for retrenchment and the period of notice has expired, or the workman has been paid in lieu of such notice, wages for the period of the notice ;
- (b) the workman has been paid, at the time of retrenchment, compensation which shall be equivalent of fifteen days' average pay for every completed year of continuous service or any part thereof in excess of six months; and
- (c) notice in the prescribed manner is served on the appropriate Government or such authority as may be specified by the appropriate Government by notification in the Official Gazette."

12. In view of these provisions, according to the second party workman, the first party Bank was under obligation to give one month's notice and retrenchment compensation. But it is well established on record that the second party workman has not worked for continuous period of one year or had not worked for 240 days continuously. Therefore, it is evidence that the first party Bank was not under obligation to comply the provisions of Section 25F of the I.D. Act, 1947.

13. The learned Counsel appearing for the first party Bank has filed his notes of argument below Ex.C-12 in which he was referred to this issue of

on-compliance of Section 25F of the I.D. Act. According to the learned Counsel, the Bank was not under obligation to comply the provisions of Section 25F of the I.D. Act, as the second party workman has neither worked for continuous period of one year nor he has completed 240 days of service in the Bank. In support of his contention, he has heavily relied on the judgement of Punjab and Haryana High Court in the case between Malkiat Singh and Labour Commissioner and another, reported in 1996 (2) L.L.N. 1253, in which the ratio is that while calculating 240 days of working in a year, holidays, namely Sundays and other Gazetted holidays during which no wages have been paid to workman, cannot be counted for the purpose of determining whether the workman worked continuously for a period of 240 days.

14. The learned Counsel appearing for the first party Bank has also relied on the judgement of Supreme Court in the case of Escorts Limited v/s. Presiding Officer and another, reported in 1997 L.L.R. 699, in which also, it was held that the Labour Court was in error in counting Sundays and holidays to arrive at a conclusion that the workman had worked for 240 days in a year. Thus, on the basis of the ratio referred above, it is very much clear that while calculating 240 days of working in a year, Sundays and holidays during which the workman has not worked or has not received wages, could not be counted.

15. The next contention of the learned Counsel appearing for the second party workman was that it was obligatory for the first party Bank to comply with the provisions of Section 25F of the I.D. Act and to pay the retrenchment compensation to the workman. But according to the learned Counsel appearing for the first party Bank it was not necessary to comply the provisions of Section 25F. For this purpose, the learned Counsel has heavily relied on the judgement of the Supreme Court in the case between Himanshu Kumar Vidyarthi and others and State of Bihar and others, reported in 1997 (76) F.L.R. p. 237 in which the ratio is that the disengagement from service of temporary employees working on daily wages, cannot be construed to be a retrenchment under the I.D. Act. Since the employees on daily wages have no right to the posts, their disengagement is not arbitrary.

16. Against this argument of the learned Counsel appearing for the first party Bank, the learned Counsel appearing for the second party workman has argued that it was necessary for the Bank to comply with Section 25F of the I.D. Act, as the termination of the second party workman amounts to retrenchment. For this purpose, he has heavily relied on the judgement of the Supreme Court in the case of The

Workmen of American Express International Banking Corporation v/s. The Management of American Express International Banking Corporation, reported in 1985 II C.L.R. p. 269, in which it was held that:

“The expression ‘actually worked under the employer’ occurring in Section 25B(2)(a)(ii) cannot mean those days only when the workman worked with hammer, sickle or pen, but must necessarily comprehend all those days during which he was in the employment of the employer and for which he has been paid wages either under express or implied contract of service or by compulsion of statute, standing orders, etc.”

17. There is no dispute regarding this ratio, but the said ratio is not applicable in the present case because admittedly, the second party workman has not worked for a period of one year and he has not completed more than 240 days. He has only worked for 219 days. He was also not paid for Sundays and holidays. Therefore, Sundays and holidays for which the second party workman was never paid or the days which the workman has not worked could not be considered while counting 240 days. Hence, certainly the ratio is not applicable in the present case.

18. Thus, taking into consideration the argument advanced by the learned Counsels, the fact comes on record that admittedly the second party workman has never worked with the first party Bank for continuous period of one year and he has not continuously worked for 240 days. Therefore, the provisions of Sec. 25F of the I.D. Act were never applicable in the present case and it was not necessary for the first party Bank to comply with the same. It is also come on record that the services of the second party workman were terminated orally by the Branch Manager, as he was engaged by the Branch Manager orally. Therefore, the said termination could not be said to be in contravention of any provisions of the I.D. Act, 1947. Thus, the contention of the second party workman that his termination was illegal could not be accepted. Hence, the action of the first party management, Regional Office, Pune, in relation to its Velhapur Branch in terminating the services of the second party workman Shri D.N. Kulkarni in the year 1988 could not be said to be unjustified by stretch of imagination on the contrary, the said termination seems to be justified. Hence, the second party workman is not entitled to any relief. Hence, I answer all the issues in the negative accordingly, and in sum and substance, the reference deserves to be dismissed. Hence, I pass the following order:

2262 GI/98—17

ORDER

1. The reference stands dismissed.
2. No order as to costs.
3. Award be drawn accordingly.

S. S. HIRURKAR, Industrial Tribunal

नई दिल्ली, 20 अगस्त, 1998

का आ. 1776 .—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार इंडियन इंस्टिट्यूट आफ पास रिसर्च, कानपुर के प्रबन्धतंत्र के संबंध में नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 20-8-98 को प्राप्त हुआ था।

[सं. एल-42012/153/96-आई आर (डी.यू.),
एल-42012/163/96-आई आर (डी.यू.),
एल-42012/157/96-आई आर (डी.यू.),
एल-42012/156/96-आई आर (डी.यू.)
एल-42012/165/96-आई आर (डी.यू.);
एल-42012/155/96-आई आर (डी.यू.),
एल-42012/160/96-आई आर (डी.यू.),
एल-42012/154/96-आई आर (डी.यू.);
एल-42012/164/96-आई आर (डी.यू.),
एल-42012/166/96-आई आर (डी.यू.),
एल-42012/159/96-आई आर (डी.यू.),

[एल-42012/162/96-आईआर (डी.यू.)]

के.वी.बी. उष्णी, डेस्क अधिकारी

New Delhi, the 20th August, 1998

S.O. 1776.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Indian Institute of Pulse research, Kanpur and their workman, which was received by the Central Government on the 20-8-98.

[No. L-42012/153/96-IR(DU),
L-42012/163/96-IR(DU),
L-42012/157/96-IR(DU),
L-42012/156/96-IR(DU),
L-42012/165/96-IR(DU),
L-42012/155/96-IR(DU),
L-42012/160/96-IR(DU),
L-42012/154/96-IR(DU),
L-42012/164/96-IR(DU),
L-42012/166/96-IR(DU),
L-42012/159/96-IR(DU),
L-42012/162/96-IR(DU)]

K. V. B. UNNY, Desk Officer

ANNEXURE

Before Sri B. K. Srivastava Presiding Officer, Central Government Industrial Tribunal cum Labour Court Pandu Nagar, Kanpur. U.P.

Industrial Disputes Nos. ; 194/97, 189/97, 198/97, 199/97, 196/97, 195/97, 193/97, 192/97, 191/97, 136/97, 187/97, 188/97,

In the matter of dispute between ;
Smt. Kamla wife of Sri Maiku Lal
115/361 Maswanpur Post Rawatpur Gaon,
Kanpur.

And

The Director, Indian Institute of Pulse Research
Kalyanpur, G. T. Road Kanpur.

Appearance R. K. Tripathi for the Management
and K. K. Mishra for the workman.

AWARD

1. Central Government, Ministry of Labour, vide its Notification Nos. (mentioned hereinbelow) has referred the following dispute for its adjudication to this Tribunal—

1. Vide Notification No. L-42012/153/96/I.R.D.U. dt. 19-9-97

Schedule

Whether Smt. Kamla wife of Sri Maiku Lal can be treated as an employee of Indian Institute of Pulse Research Kanpur and if so whether the termination of her employment w.e.f. 5-3-96 is just and legal? If not to what relief is she entitled to?

2. Vide Notification No. L-42012/163/96/I.R.D.U. dt. 19-9-97

Whether Smt. Sundari wife of Sri Sunder Lal can be treated as an employee of Indian Institute of Pulse Research, Kanpur and if so whether the termination of her employment w.e.f. 5-3-96, is just and legal? If not to what relief is she entitled?

3. Vide Notification No. L-42012/157/96-I.R.D.U. dt. 19-9-97

Whether Smt. Manorma w/o Sri Munna Lal can be treated as an employee Indian Institute of Pulse Research, Kanpur of whether of and if so the termination of her employment w.e.f. 5-3-96 is just and legal? If not to what relief she is entitled to?

4. Vide Notification No. L-42012/156/96/I.R.D.U. dt. 19-9-97

Whether Smt. Pushpa wife of Nankoo can be treated as an employee of Indian Institute of Pulse Research, Kanpur and if so whether the termination of her employment w.e.f.

5-3-96 is just and legal? If not to what relief is entitled to?

5. Vide Notification No. L-42012/165/96/I.R.D.U. dt. 5-8-97

Whether Smt. Kanti w/o Sri Rajendra Kumar can be treated as an employee of Indian Institute of Pulse Research, Kanpur and if so whether the termination of her employment w.e.f. 5-3-96 is just and legal? If not to what relief is she entitled to?

6. Vide Notification No. L-42012/155/97/I.R.D.U. dt. 19-9-97

Whether Smt. Anwari wife of Sri Maikoo can be treated as an employee of Indian institute of Pulse Research, Kanpur and if so whether the termination of her employment w.e.f. 5-3-96 is just and legal? If not to what relief is she entitled to?

7. Vide Notification No. L-42012/160/96/I.R.D.U. dated 19-9-97

Whether Smt. Phoolmati wife of Sri Devi Prasad can be treated as an employee of Indian Institute of Pulse Research, Kanpur and if so whether the termination of her employment w.e.f. 5-3-96 is just and legal? If not to what relief is she entitled to?

8. Vide Notification No. L-42012/154/96/I.R.D.U. dated 19-9-97

Whether Smt. Ram Janki wife of Sri Khushi Lal can be treated as an employee of Indian Institute of Pulse Research, Kanpur and if so whether the termination of her employment w.e.f. 5-3-96 is just and legal? If not to what relief is she entitled to?

9. Vide Notification No. L-42012/164/96 I.R.D.U. dt. 19-9-97

Whether Smt. Rita wife of Kanchan Lal can be treated as an employee of Indian Institute of Pulse Research, Kanpur and if so whether her termination of her employment w.e.f. 5-3-96 is just and legal and if not to what relief is she entitled to?

10. Vide Notification No. L-42012/166/96/I.R.D.U. dt. 19-9-1997

Whether Smt. Rani w/o Ram Babu can be treated as an employee of Indian Institute of Pulse Research, Kanpur and is so whether the termination of her employment w.e.f. 5-3-96 is just and legal if not to what relief is she entitled to?

11. Vide Notification No. L-42012/159/96/I.R.D.U. dt. 19-9-97

Whether Smt. Ram Kanti w/o Sri Sheo Kumar can be treated as an employee of Indian

Institute of Pulse Research Kanpur and if so whether the termination of her employment w.e.f. 5-3-96 is just and legal? If not to what relief is she entitled to?

12. Vide notification no.L-42012/162/96/I.R.D.U dt. 19-9-97

Whether Smt. Annapurna w/o Sri Om Prakash can be treated as an employee of Indian Institute of Pulse Research Kanpur and if so whether the termination of her employment w.e.f. 5-3-96 is just and legal? If not to what relief is she entitled to?

2. In all the 12 references the date of appointment and date of termination is as under—

Name of workman		Date of Appointment	Date of termination
1	2	3	4
1.	Smt. Anwari	1-1-91	5-3-96
2.	Smt. Annapurna	1989	5-3-96
3.	Smt. Ram Kanti	1989	5-3-96
4.	Smt. Rani	1989	5-3-96
5.	Smt. Reeta	1989	5-3-96
6.	Smt. Janki	1-1-92	5-3-96
7.	Smt. Phoolmati	1989	5-3-96
8.	Smt. Sundari	1-1-91	5-3-96
9.	Smt. Sri Kanti	1-3-91	5-3-96
10.	Smt. Manorma	1989	5-3-96
11.	Smt. Pushpa	1989	5-3-96
12.	Smt. Kamla	1989	5-3-96

3. In each claim statement it has been alleged that the concerned worklady has continuously worked during the above period. When she claimed salary of a regular employee their services were illegally terminated in breach of provision of section 25F of Industrial Disputes Act, 1947.

4. The opposite party has filed written statement in each case and their reply is common. It is alleged that opposite party is not an industry. All the concerned workladies were the employees of Shyam Prakash Nigam Contractor, the work of supply of workers was given to this contractor. In this way the concerned workladies are contract labourers and not the employees of the opposite party. This fact has been admitted by the concerned workladies in the complaint lodged with the police and other authorities.

5. In the rejoinder it has been denied by each of the concerned workladies in their respective rejoinder that they were contract employees.

5. In support of their case each worklady has examined herself as w.w. 1 whereas in I.D. No. 194 of 1997 J N Katiyar was examined who has given statement in respect of all the workladies. This has been done in pursuance of agreement of parties dt. 13-5-98 recorded in I.D. No. 194 of 1997. The concerned workladies have filed ext. W-1 to W-2. On the other hand the management have filed ext. M-1 to M-33.

6. With regard to the contention about the opposite party being industry, the authorised representative have submitted that in earlier cases this tribunal had held the opposite party to be industry, hence it is not being pressed now.

7. Next it will be seen if the concerned workladies were actually contract labourers working under the Shyam Prakash Nigam or it was only a cloak to disguise the real status of the concerned workladies. At the cut set the case law referred by the authorised representative by the management may be considered.

8. In the first place reliance has been placed on the case of Air India Statutory Corporation versus United Labour, 1997(76) FLR 119. I am afraid that this case has no bearing at all on the facts of the case as it deals with the scope and ambit of abolition of contract labour with which we are not concerned.

9. Next reference was made in the case of Dinanath versus National Fertilizer Labour 1992 (64) FLR 39. It may be mentioned that this authority has been specifically overruled in the above case.

10. Next reference was made to the case of MR Mazdoor Sangh versus Indian Oil Corporation Limited 1991 (62) FLR 425. In this case a writ petition was filed by the contract workers for getting benefit of wages at par with regular employee. The Hon'ble Supreme Court referred the matter to industrial Tribunal through appropriate authority. In the facts and circumstances of the case it was held that those workers were contract labourers and were not employees of the Refinery. Thereafter some suggestions were made for ameliorating the conditions of contract labourers. There can be no quarrel between proposition laid down in this case as if contract labourer is genuine they will not be direct employee of the principal employer.

11. Lastly reference was made to the case of H S Sharma versus ALM Corporation of India 1907 (76) FLR 838. This ruling has no bearing to the facts of the case as it deals with the case of Abolition of Contract Labour under sec. 10 of I.D. Act.

12. On the other hand the authorised representative of the concerned workmen have referred to the case of Zonal Manager Food Corporation of India

versus D Venkata Rao 1993, Lab IC 963. A contract labour could be deemed to be the direct employee of the principal employer if principal employer in defiance of abolition of Contract Labour Act persists for engaging contract labour and if on scrutiny it is found to be false. In other words all proceedings for establishing contract labourers were empty formalities. In other words transaction is not genuine. In such a case a contract labour would be deemed to be direct employee of principal employer.

12. According to pleading the case of the each applicant is that they were direct employees of opposite party and so called contract is a fictitious transaction. Thus the case is to be examined on this basis alone.

13. Now reference may be made to documents filed by the management. Ext. M-1 is the identity card of Smt. Kamla to show that she was a contractual labour. The date and year on this is not to be found. Hence it is not possible to look as to for which period this identity card relates. Similar is the position of identity cards of other workladies. Hence in the absence any period these papers would not help the applicant. Ext. M-2 is the register of the management dt. 2-7-91, in it the names of contractors have not been given which casts doubt about the genuineness of this register. Ext. M-3 is the notice issued to Sri Shyam Prakash Nigam dated 18-6-96. Ext. M-4 is the copy of proceeding before ALC (C). Ext. M-5 and M-6 are complaints of the concerned workladies. Ext. M-9 is News paper cutting. Ext. M-10 is application under Payment of Wages Act No. 128 of 96. Ext. M-11 is notice dt. 25-6-97 issued by ALC to Syham Prakash Nigam, Ext. M-12 is the copy of reply to above notice, Ext. M-30 is attendance register, Ext. M-15 and 16 is reference of dispute by ALC, ext. M-17 is the complaint sent by the workers to SO Kalyanpur in which they have alleged themselves to be the contract worker. Ext. M-22 is the notice of court of District Judge, Kanpur, dated 21-4-98. It is irrelevant. Similarly ext. M-23 is the affidavit of 1998 which is also not relevant, Ext. M-24 is the complaint dated 19-7-95. Ext. M-25 is the licence of Controller dated 24-7-95. Ext. M-26 is amended certificate, Ext. M-27 is the rate given by the management on 18-7-95 about labour. Ext. M-28 is the copy of summons of payment of wages Act. Ext. M-29 is the letter of the management dated 2-5-98 asking the contractor to appear in this court. Ext. M-33 and M-31 deals with payment of Wages Act, Ext. M-32 is the receipt to show that on 28-3-91 wages were paid to the Contractor H N Singh Traders. Ext. M-33 is the copy of letter dated 2-2-90 by which management had directed R N. Singh to supply labours. It may be noticed that the concerned workladies have alleged that they were engaged as labourers directly by employer from the year 1989

to 1991. Shyam Prakash Nigam came into existence some time in 1996. There are no papers to show that M/s R N Singh & Traders have obtained any licence and that the management had get themselves registered at that time. J N Katiyar M. W-1 in his evidence has not denied the period of working of the concerned workladies, hence it is established from the un rebutted evidence of all the concerned workladies that they had been working under J N Katiyar directly from the date as mentioned in their respective claim statement ranging from 1989 to 91. If subsequently some manipulation was made to bring these concerned workladies under contract labourers of Shyam Prakash Nigam it must be all farce proceedings or a cloak to cover up direct relationship of master and servant, status of workman, who were working as direct employees of employer cannot be changed over night during continuance of such relationship by means of contract labourer proceedings. Further in the instant case it was repeatedly inquired from J N Katiyar as to how these workladies dealt with during the course of alleged relationship of contract labour. According to rules in a case of genuine transaction wages are to be paid to the contract labour by the contractor in presence of officer of the principal employer. In this regard no evidence has been adduced at all. Even Shyam Prakash Nigam alleged contractor has not been examined on the pretext that he is not available. Had he entertained into the witness box real position would have been exposed.

16. Thus taking into consideration these factors I come to the conclusion that all the ladies were employed directly as labour with the opposite party under J N Katiyar. It was subsequently some time 1995-96 that these proceeding for contract labour were initiated to deny the status of direct employee which is transaction. Hence after ignoring this status I find that the concerned workladies were the direct employees of the opposite party.

17. All the concerned workladies have stated that they had continuously worked and had completed 240 days in a year preceding the date of termination. This fact has not been denied by M.W. 1 his only objection was that all the workladies were contract labourers which contention have not been found to be correct. Admittedly no retrenchment compensation and notice pay was given, hence my finding is that termination of all the concerned workladies is in breach of provisions of section 25F of I.D. Act, accordingly it is bad in law. In view of above my award is that the termination of the each of the concerned worklady is bad in law and each of them is entered for reinstatement without back wages. Let a copy of this award be placed on each connected files.

B.K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 20 अगस्त, 1998

का.आ. 1777.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सेंट्रल स्कूल, जे.आर.सी, बरेली के प्रबन्धसूत्र के संबद्धनियोजकों और उनके कर्मचारों के बीच, अनुबन्ध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 20-8-98 के प्राप्त हुआ था।

[सं. एल-42012/82/95-आई आर (डी.यू.)]

के.वी.बी. उन्नी, डेस्क अधिकारी

New Delhi, the 20th August, 1998

S.O. 1777.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Central School, JRC, Bareilly and their workman, which was received by the Central Government on 20-8-98.

[No. L-42012/82/95-IR (DU)]

K.V.B. UNNY, Desk Officer

ANNEXURE

Before Sri B. K. Srivastava Presiding Officer, Central Govt. Industrial Tribunal-cum-Labour Court Pandu Nagar, Kanpur.

Industrial Dispute No. 54 of 1996

In the matter of dispute between;

Rupesh Kumar S/o Sri Anokhey Lal

Haziypur Teliya Old Khiri, Bareilly, U.P.

And

Principal Central School

JRC, Bareilly.

1. Central Government, Ministry of Labour vide Notification No. L-42012/82/95/I.R. DU dated 2-5-96, has referred the following dispute for adjudication to this Tribunal —

Whether the action of the management of Central School JRC, Bareilly in terminating the services of Sri Rupesh Kumar is justified? If not, to what relief the workman is entitled to?

2. The concerned workman Rupesh Kumar was working as Safaiwala in KVJMC, Bareilly. He was issued a chargesheet dated 29-8-89 which runs as under —

1. That the said Sri Rupesh Kumar while functioning as Safaiwala in KVJMC, Bareilly was ordered for night duty on

5-7-89 which he agreed to by putting his signatures on duty register but later on he snatched the duty register and struck out his signature with ink and refused to perform the night duty on 5-7-89. That the said Rupesh Kumar failed to perform his duties and also struck off his signatures on Duty Register. This negligence on the part of the said individual is obviously a willful disobedience of the Government orders.

2. That the said Sri Rupesh Kumar Safaiwala instead of performing his duties on night 5-7-89 created nuisance shouted unparliamentary languages and tempted to assault on the Principal KVJMC, Bareilly at about 12.25 p.m. on 5-7-89. That said Sri Rupesh Kumar Safaiwala by his above acts has exhibited lack of devotion, negligence to his duties and conducted as unbecoming of a Govt. Servant thereby violating Rule 3 of CCS (Conduct) Rules, 1964.

3. That during the aforesaid period and while functioning in the aforesaid office, the said Sri Rupesh Kumar, Safaiwala forcibly snatched both the copies of the memorandum, one of which was to be handed over to him for Sri Chhadami Lal, peon. Thus this act of misconduct and misbehaviour on the part of the individual is contrary to office decorum and discipline.

One Major G. S. Narula was appointed enquiry officer. He submitted his report dated 1-5-91. On the basis of this report the concerned workman has been awarded punishment by way of termination of his services. Feeling aggrieved the concerned workman has raised the instant industrial dispute. In the claim statement it was alleged that enquiry was not fairly and properly held. It was also denied that he had committed the alleged acts of various misconduct as stated above.

3. In reply it was maintained that enquiry was fairly and properly held. It was further alleged that the concerned workman had committed various acts of misconduct as alleged in the chargesheet.

4. In the rejoinder nothing new was alleged.

5. On the pleadings of the parties a preliminary issue regarding fairness and propriety of domestic enquiry was framed. Vide finding dated 24-4-98, it was held that enquiry was not fairly and properly held inasmuch as opportunity to cross-examine and defence was not given to

the concerned workman. Hence, the management was given opportunity to prove the misconduct on merits.

6. Before this Tribunal management has examined their Principal K. D. Pandey which was the victim of this misconduct. He has given the evidence in detail in respect of all the charges mentioned above. The concerned workman was given repeated opportunity to adduce evidence in defence. Ultimately he was debarred from giving evidence on 1-7-92. As the evidence of K. D. Pandey M. W. 1 is un rebutted I have no hesitation in accepting it. On the basis of his evidence I find that all the charges are fully proved.

7. As regards quantum of punishment the behaviour of the concerned workman was outrageous and in this background the punishment by way of dismissal is not disproportionate to the misconduct. I award accordingly. Consequently the concerned workman is not entitled for any relief.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 21 अगस्त, 1998

का.आ. 1778.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार 506, आर्मी बेस वर्कशाप, जबलपुर के प्रबन्धन के संबंध नियोजकों और उनके कर्मचारियों के बीच, अनुबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-8-98 को प्राप्त हुआ था।

[सं. एल-14011/3/91-आईआर (डीयू)]

के. वी. बी. उन्नी, डैस्क अधिकारी

New Delhi, the 21st August, 1998

S.O. 1778.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Jabalpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of 506, Army Base Workshop, Jabalpur and their workman, which was received by the Central Government on 21-8-98.

[No. L-14011/3/91-IR (DU)]

K. V. B. UNNY, Desk Officer

अनुबंध

केन्द्रीय औद्योगिक अधिकरण एवं श्रम न्यायालय, जबलपुर

(म० प्र०)

डी० एन० दीक्षित, पीठासीन अधिकारी

प्र० नं० सीजीआईटी/एलसीआर/187/91

श्री अनिल कुमार शर्मा, महामंत्री

506, आर्मी बेस वर्कशाप श्रमिक संघ

द्वारा : श्री बी० पी० विश्वकर्मा,

मकान नं० 841,

द्वारका नगर, लालमाटी,

जबलपुर-482001 (म० प्र०)

—प्राथी

विरुद्ध

कमान्डेंट,

506, आर्मी बेस वर्कशाप,

जबलपुर 482001 (म० प्र०)

—प्रतिप्राथी

अवार्ड

दिनांकित : 31-07-1998

1. भारत सरकार, श्रम मंत्रालय, नई दिल्ली ने अपने आदेश सं० एल-14011/3/91-आईआर. (डी.यू.) दिनांक 3-10-91 के द्वारा नीचे लिखा विवाद निराकरण हेतु इस औद्योगिक अधिकरण को भेजा है :—

अनुसूची

“Whether the action of the management of 506, Army Base Workshop, Jabalpur (M.P.) is justified—

(1) in not paying deducted wages of 9 days during the Dharna,

(2) in not giving over time allowance, and

(3) in imposing ban on gate meeting and other constitutional activities, peaceful Dharna etc. on the member of 506, Army Base Workshop Shramik Sangh ? If not, what relief the workmen concerned are entitled to and from what date ?”

2. 506, आर्मी बेस वर्कशाप श्रमिक संघ, जबलपुर के अनुसार दिनांक 30-5-90 से 8-6-90 तक 9 दिन सभी श्रमिक अपने कार्य स्थल पर निर्धारित समय पर उपस्थित थे, किन्तु श्रमिकों से काम नहीं लिया गया। स्थापना ने वर्कशाप के अन्दर फौज के जवान लगा दिये थे और वह शत फैलाई थी। अगर श्रमिकों को कार्य नहीं करना होता तो वे वर्कशाप के अन्दर लगातार 9 दिन उपस्थित क्यों रहते। यूनियन ने असिस्टेंट लेबर कमिशनर (सेन्ट्रल), जबलपुर के समक्ष 9 दिन का वेतन काटने का विवाद प्रस्तुत किया और दोनों पक्षों में दिनांक 8-6-90 को यह समझौता हुआ कि प्रबंधन 9 दिन का वेतन कर्मचारियों को देगी। बाद में प्रबंधन ने समझौते की इस शर्त का पालन नहीं किया। प्रबंधन यह कहने लगा कि 9 दिन की यह अवधि डाइजनान है। प्रबंधन ने 9 दिन का वेतन काटने में श्रमिकों के बीच भेदभाव किया है। कुछ का वेतन काटा है और कुछ का वेतन नहीं काटा है। वेतन काटने के पहले प्रबंधन ने यूनियन को नोटिस नहीं दिया। इस बात का भी ध्यान नहीं दिया गया कि कुछ श्रमिक काम करना चाहते थे, किन्तु उनके साथियों ने काम नहीं करने दिया। यूनियन

की दूसरी मांग है कि पिछले 15-20 वर्षों से श्रमिकों से ओवर टाईम काम लिया जाता है और भुगतान किया जाता है। ओवर टाईम बन्द करने से यह भत्ता श्रमिकों को नहीं मिल पा रहा है। प्रबंधन को निर्देश दिये जायें कि श्रमिकों से ओवर टाईम काम लिया जाए। यूनियन की तीसरी मांग है कि उनको गेट मीटिंग नहीं करने दी जाती। अनुशासन के नाम पर श्रमिकों के साथ अत्याचार होता है तथा उनको मूलभूत सुविधाएं नहीं दी जाती। यूनियन चाहती है कि प्रबंधन को निर्देश दिये जायें कि वह यूनियन कार्यकर्ताओं के साथ अत्याचार नहीं करें।

3. प्रबंधन के अनुसार, 506, आर्मी बेस वर्कशाप रक्षा मंत्रालय का संस्थान है तथा इसमें औद्योगिक विवाद अधिनियम, 1947 प्रभावशील नहीं है। देश की सुरक्षा सरकार का सावरन फंक्शन है और यह इण्डस्ट्री के अन्तर्गत नहीं आ सकती। प्रबंधन के अनुसार 9 दिन तक श्रमिकों ने काम नहीं किया। वे वर्कशाप में आते थे, किन्तु उत्पादन का कार्य नहीं करते थे। वर्कशाप के अन्दर नारे लगाते थे। प्रबंधन ने वर्कशाप की सुरक्षा के लिए फौज बुलाई। कारण यह है कि वर्कशाप के अन्तर्गत हथियार और गोलियां थीं, इनकी सुरक्षा अत्यन्त आवश्यक थी। फौज के जो कर्मचारी वर्कशाप की सुरक्षा के लिये आये, इन लोगों ने श्रमिकों को डराया, धमकाया नहीं। यूनियन का यह कहना गलत है कि प्रबंधन ने असिस्टेंट लेबर कमिशनर (सेंट्रल) के सामने 9 दिन का वेतन देना स्वीकार किया। श्रमिकों ने 9 दिन उत्पादन नहीं किया, इसलिए इस अवधि का वेतन पाने के अधिकारी नहीं हैं। वेतन वाटने के लिये श्रमिकों को नोटिस देना आवश्यक नहीं था ओवर टाईम श्रमिकों का अधिकार नहीं है। वर्कशाप में इतना कार्य नहीं है कि श्रमिकों से ओवर टाईम काम लिया जाए। यूनियन का यह कहना गलत है कि उनको गेट मीटिंग नहीं करने दी गई। जहां पर वर्कशाप के हथियार और गोली-बारूद है, वहां मीटिंग करने से रोका गया अन्य किसी भी स्थान पर, यूनियन मीटिंग कर सकती है। श्रमिकों ने उत्पादन नहीं किया, इसलिये वे 9 दिन का वेतन पाने के अधिकारी नहीं हैं।

4. दिनांक 30-6-95 को इस न्यायालय के समक्ष यूनियन और प्रबंधन के बीच बातचीत हुई। यूनियन ने प्रस्ताव रखा कि 9 दिन में जितने घंटे काम नहीं हुआ है, उतने घंटे श्रमिक अपने सामान्य काम के अतिरिक्त काम करेंगे तथा जो 9 दिन का वेतन काटा है, वह श्रमिकों को दिया जाए। इस प्रस्ताव को प्रबंधन ने स्वीकार किया। यूनियन ने ओवर टाईम अलाउंस का प्लॉट वापस ले लिया। दोनों पक्षों ने यह समझौता किया कि भविष्य में गेट मीटिंग पोस्ट आफिस के पास होगी।

5. प्रबंधन ने 9 दिन के वेतन के संबंध में अपने उच्च अधिकारियों से लिखा-पट्टी की तथा प्रतिवेदन दिनांक 15-4-96 न्यायालय में प्रस्तुत किया। इस न्यायालय की प्रति यूनियन को दी गई, किन्तु यूनियन ने इसका कोई जवाब नहीं दिया। प्रबंधन के अनुसार चूकि श्रमिकों ने काम नहीं किया है, इस कारण वे 9 दिन का वेतन पाने के अधिकारी नहीं हैं।

6. श्रमिक और प्रबंधन के बीच अच्छे सम्बन्ध रहे, इसलिये आवश्यक है कि उनमें कम से कम विवाद उत्पन्न हो। वर्तमान विवाद में अब केवल एक विवाद शेष है कि क्या श्रमिक 30-5-90 से 8-6-90 9 दिन का वेतन पा सकते हैं अथवा नहीं। श्रमिक इस बात के लिये तैयार हैं कि वे अपने नित्य के कार्य के अतिरिक्त काम करने के लिये तैयार हैं, जिससे कि 9 दिन में जो काम का नुकसान हुआ है, वह पूरा हो जाए। प्रबंधन का यह कहना है कि चूकि श्रमिकों ने उत्पादन नहीं किया है, इसलिये वे वेतन पाने के अधिकारी नहीं हैं। प्रबंधन का यह अग्रियल रवैया औद्योगिक शांति और प्रगति में भविष्य में बाधक रहेगा। इस प्रकार के रविये से आपस में कटुता बढ़ती जायेगी। सुचारु रूप से कार्य करने के लिये आवश्यक है कि प्रबंधन कभी-कभी गलतियों को माफ करे और श्रमिकों को भविष्य में मन लगाकर कार्य करने की प्रेरणा दे।

7. श्रमिकों की यह मांग न्यायोचित है कि उनसे 9 दिन का काम उनके सामान्य कार्य के अतिरिक्त करा लिया जाए तथा उनको इस अवधि का वेतन दिया जाये।

8. अवार्ड दिया जाता है कि प्रबंधन 506, आर्मी बेस वर्कशाप अखिलपुर दिनांक 30-5-90 से 8-6-90 तक 9 दिन, जिन श्रमिकों ने काम नहीं किया है, उनसे अवार्ड मुद्रित होने के तीन माह के अन्दर उनके सामान्य कार्य के अतिरिक्त 9 दिन का कार्य ले और इसके पश्चात् प्रत्येक श्रमिक को उस समय के 9 दिन का वेतन और भत्ता अदा करें। अवार्ड मुद्रित होने के तीन माह के अन्दर प्रबंधन अगर यह कार्य नहीं लेता, तो प्रत्येक श्रमिक को 9 दिन का वेतन वर्ष 90 में प्रचलित दर से देना होगा। दोनों पक्ष इस प्रकरण का अपना-अपना व्यय वहन करें।

9. नियमानुसार अवार्ड की प्रतियां भारत सरकार, श्रम मंत्रालय, नई दिल्ली को प्रेषित की जाती हैं।

डी.एन. दीक्षित, पोठासीन अधिकारी

नई दिल्ली, 21 अगस्त, 1998

का.आ. 1779.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसूचन में, केन्द्रीय सरकार आर.पी. एफ.सी., सब-रीजनल आफिसर, राउरकेला के प्रबंधन के संबंध नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निष्पट औद्योगिक विवाद में औद्योगिक

अधिकरण, राउरकेला के पंचाट को प्रकटित करती है, जो केन्द्रीय सरकार को 21-8-98 को प्राप्त हुआ था।

[सं. एल-42011/33/93-आईआर(डी.यू.)]
के.वी.बी. उन्नी, डेस्क अधिकारी

New Delhi, the 21st August, 1998

S.O. 1779.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the Award of the Industrial Tribunal, Rourkela as shown in the Annexure, in the industrial dispute between the employers in relation to the management of R.P.F.C., Sub-Regional Office, Rourkela and their workman, which was received by the Central Government on 21-8-98.

[No. L-42011/33/93-IR (DU)]
K. V. B. UNNY, Desk Officer

ANNEXURE

IN THE COURT OF THE PRESIDING OFFICER,
INDUSTRIAL TRIBUNAL,

ROURKELA

Industrial Dispute Case No. 83/97 (C)

Dated, the 15th July, 1998

PRESENT :

Shri R. N. Biswal, LL.M.,
(O.S.J.S. Sr. Branch)
Presiding Officer,
Industrial Tribunal,
Rourkela.

BETWEEN :

The Regional Provident Fund
Commissioner, Sub-Regional Office,
Mangal Bhawan,
Rourkela-I

.. Ist party

And

The General Secretary,
Employees Provident Fund
Staff Union, Mangal Bhawan,
Rourkela-I, Dist : Sundergarh

.. IInd party

APPEARANCE :

For the Ist party .. None

For the IInd party .. None

AWARD

The Govt. of India in Ministry of Labour, Department in exercise of their power conferred under clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 have referred the following dispute vide reference No. L-42011/33/93-IR (DA) dated 30-6-95 for adjudication :

"Whether the action of the management of Regional Provident Fund Commissioner, Sub-Regional Office, Rourkela not giving special pay to the UDCs w.e.f. 11-11-91 and

giving the same only from 29-6-92 was justified? If not, what relief the workmen are entitled to?"

2. The case was fixed on 24-6-98 for hearing. Since neither of the parties appeared before this Tribunal on that date, it can be presumed that at present there is no dispute between them or they have amicably settled the dispute outside the Court in the mean time. Accordingly No Dispute Award is passed.

R. N. BISWAL, Presiding Officer
नई दिल्ली, 28 अगस्त, 1998

कां० 1780.—केन्द्रीय सरकार ने यह समाधान हो जाने पर कि लोकहित में ऐसा करना अपेक्षित था, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (ड) के उपखंड (VI) के उपबंधों के अनुसरण में भारत सरकार, थर्म मंत्रालय की अधिसूचना संख्या कां० 659 दिनांक 18 मार्च, 1998 द्वारा बैंकिंग उद्योग में सेवा को उक्त अधिनियम के प्रयोजनों के लिए 19 मार्च, 1998 से छह मास की कालावधि के लिए लोक उपयोगी सेवा घोषित किया था;

और केन्द्रीय सरकार की राय है कि लोकहित में उक्त कालावधि को छह मास की और कालावधि के लिए बढ़ाया जाना अपेक्षित है;

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (ड) के उपखंड (VI) के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिए 19 सितम्बर, 1998 से छह मास की और कालावधि के लिए लोक उपयोगी सेवा घोषित करती है।

[फा० सं० एस०-11017/5/97-आई०आर० (पी० एल०)]
एच० सी० गुप्ता, अवसर सचिव

New Delhi, the 28th August, 1998

S.O. 1780.—Whereas the Central Government having been satisfied that the public interest so required had, in pursuance of the provisions of sub-clause (vi) of the clause (a) of section 2 of the Industrial Dispute Act, 1947 (14 of 1947), declared by the Notification of the Government of India in the Ministry of Labour S.O. No. 659 dated 18th March, 1998 the Banking Industry carried on by a Banking Company as defined in clause (bb) of section 2 of the said Act to be a public utility service for the purpose of the said Act, for a period of six months from the 19th March, 1998;

And whereas, the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months.

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947, the Central Government hereby declares the said industry to be a public utility service for the purposes of the said Act for a period of six months from the 19th September, 1998.

[No. S-11017/5/97-IR(PL)]
H. C. GUPTA, Under Secy.